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SPECIAL

REPORT

FROM THE

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SELECT COMMITTEE

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RAILWAY SERVANTS (HOURS OF LABOUR);

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

Ordered, by The House of Commons, *to be Printed,*
24 *March* 1892.

LONDON:
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125

Railway Servants (Hours of Labour).

Ordered,—[*Tuesday*, 16*th February* 1892]:—That the Select Committee be re-appointed to inquire whether, and if so, in what way, the hours worked by Railway Servants should be restricted by legislation.

That the Committee do consist of Twenty-six Members.

Committee nominated of—

Sir Michael Hicks Beach.	Sir Herbert Maxwell.
Mr. Channing.	Mr. Milvain.
Mr. Radcliffe Cooke.	Mr. Muntz.
Mr. Crawford.	Mr. Murdoch.
Baron De Worms.	Sir Joseph Pease.
Mr. Alfred Gathorne-Hardy.	Mr. Pickard.
Mr. Herbert Gladstone.	Sir Edward Reed.
Mr. Heneage.	Sir Albert Rollit.
Mr. Howorth.	Mr. Somervell.
Mr. MacInnes.	Sir George Trevelyan.
Mr. MacNeill.	Sir Henry Tyler.
Mr. Walter M'Laren.	Mr. Vernon.
Mr. Maguire.	Mr. John Wilson.

That the Committee have power to send for Persons, Papers, and Records.

That Five be the Quorum of the Committee.

Ordered,—[*Monday*, 22*nd February* 1892]:—That the Minutes of Evidence taken before the Select Committee on Railway Servants (Hours of Labour), in Session 1891, be referred to the Select Committee on Railway Servants (Hours of Labour).

Ordered,—[*Thursday*, 25*th February* 1892]:—That Sir Edward Reed be discharged from attendance, and Mr. Flynn be added to the Committee..

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SPECIAL REPORT.

THE SELECT COMMITTEE on RAILWAY SERVANTS (HOURS OF LABOUR) have agreed to the following SPECIAL REPORT:—

YOUR Committee, having considered a letter, dated 21st February 1892, from Mr. Harford, General Secretary of the Amalgamated Society of Railway Servants, and printed in Appendix A., alleging that certain witnesses who had given evidence before them during the last Session of Parliament had been dismissed from their employment in consequence of the evidence they gave, and that other witnesses would be thereby deterred from giving evidence to your Committee, thought it their duty to inquire into the said allegations. Your Committee thereupon examined the following witnesses, who have been reduced or dismissed, namely, John Hood, Edward Kingstone, Alfred Thomas, and Henry Spink, and further took evidence upon the same subject from James Humphreys, John Conacher, Samuel Williamson, John Stokes, James Frederick Buckley, James Thompson, William Birt, John Henry Nettleship, Charles Alfred Randall, Mark Negus, and George Charles Taverner, whose evidence is appended to this Report.

Your Committee report:—

(1.) That the aforesaid allegations in reference to the witnesses Edward Kingstone, Alfred Thomas, and Henry Spink, were unfounded.

(2.) That the witness John Hood was, by a resolution of the Directors of the Cambrian Railway Company, at a meeting held on the 6th day of August last, dismissed from the service of the Company, mainly in consequence of charges arising out of the evidence given by him before your Committee, and laid before the Directors by John Conacher, then manager of the said Railway; and further, that James Frederick Buckley, John William Maclure (a Member of this House), and William Bailey Hawkins, Directors of the said Company, and the said John Conacher, did, at a meeting at Crewe on the 30th September 1891, held in consequence of an application by the said John Hood for the rehearing of his case, at which the said John Hood was present, call him to account, and censure him for the evidence he gave before your Committee, in a manner calculated to deter other Railway Servants from giving evidence before your Committee.

Your Committee have not deemed it to be part of their duty to express any opinion as to how far the conduct of the said John Hood, and the irregularities disclosed by his evidence, as well as the character of his evidence, were calculated properly to forfeit the confidence of the Directors of the Cambrian Company.

24 *March* 1892.

PROCEEDINGS OF THE COMMITTEE.

Monday, 22nd February 1892.

MEMBERS PRESENT:

Mr. Channing.
Mr. Radcliffe Cooke.
Mr. Alfred Gathorne-Hardy.
Sir George Trevelyan.
Mr. Howorth.
Mr. Murdoch.
Mr. MacInnes.
Sir Herbert Maxwell.
Mr. Crawford.
Sir Michael Hicks Beach.

Sir MICHAEL HICKS BEACH was called to the Chair.

[Adjourned till Thursday next, at Twelve o'clock.

Thursday, 25th February 1892.

MEMBERS PRESENT:

Sir MICHAEL HICKS BEACH in the Chair.

Mr. Channing.
Mr. Radcliffe Cooke.
Mr. Crawford.
Mr. Alfred Gathorne Hardy.
Mr. Herbert Gladstone.
Mr. Heneage.
Mr. Howorth.
Mr. MacInnes.
Mr. M'Laren.
Mr. Maguire.
Mr. Milvain.
Mr. Murdoch.
Sir Joseph Pease.
Mr. Somervell.
Sir George Trevelyan.
Sir Henry Tyler.
Mr. John Wilson.

The Committee deliberated.

Mr. *John Hood* was examined.

[Adjourned till Monday next, at Twelve o'clock.

Monday, 29th February 1892.

MEMBERS PRESENT:

Sir MICHAEL HICKS BEACH in the Chair.

Sir George Trevelyan.
Mr. Channing.
Mr. MacInnes.
Mr. Crawford.
Mr. Flynn.
Mr. Murdoch.
Mr. Milvain.
Sir Joseph Pease.
Mr. Alfred Gathorne-Hardy.
Sir Herbert Maxwell.
Sir Henry Tyler.
Sir Albert Rollit.
Mr. Howorth.
Mr. Somervell.
Mr. MacNeill.
Mr. M'Laren.

Mr. *Aspinall*, Mr. *Humphreys*, Mr. *Kingstone*, Mr. *Alfred Thomas*, and Mr. *John Conacher*, were examined.

[Adjourned till Thursday next, at One o'clock.

Thursday, 3*rd March* 1892.

MEMBERS PRESENT:

Sir MICHAEL HICKS BEACH in the Chair.

Sir George Trevelyan.
Mr. Howorth.
Mr. Channing.
Mr. Somervell.
Mr. Crawford.
Mr. MacInnes.
Mr. MacNeill.
Mr. Murdoch.
Mr. Maguire.
Mr. John Wilson.
Mr. Flynn.
Mr. Herbert Gladstone.
Mr. Radcliffe Cooke.
Mr. Muntz.
Sir Joseph Pease.
Mr. Milvain.
Mr. Heneage.
Sir Herbert Maxwell.
Sir Henry Tyler.
Mr. M'Laren.
Mr. Alfred Gathorne-Hardy.

Mr. *John Conacher* was further examined.

Mr. *Samuel Williamson* was examined.

Monday, 7*th March* 1892.

MEMBERS PRESENT:

Sir MICHAEL HICKS BEACH in the Chair.

Mr. Herbert Gladstone.
Mr. Radcliffe Cooke.
Mr. Muntz.
Sir Joseph Pease.
Mr. Murdoch.
Mr. Alfred Gathorne-Hardy.
Sir Herbert Maxwell.
Sir Henry Tyler.
Sir George Trevelyan.
Mr. Howorth.
Mr. Channing.
Mr. Somervell.
Mr. Crawford.
Mr. MacInnes.
Mr. Maguire.
Mr. Flynn.
Sir Albert Rollit.

Mr. *John Conacher* was further examined.

Mr. *John Stokes* and Mr. *James Frederick Buckley* were examined.

Room cleared:—The Committee deliberated.

Motion made, and Question put, That the Committee do call Colonel *Rich* to give evidence—(Sir *Joseph Pease*).—The Committee divided:

Ayes, 6.	Noes, 8.
Mr. Radcliffe Cooke.	Mr. Channing.
Mr. Alfred Gathorne-Hardy.	Mr. Crawford.
Mr. Herbert Gladstone.	Mr. Flynn.
Mr. Muntz.	Mr. Howorth.
Sir Joseph Pease.	Mr. MacInnes.
Mr. Somervell.	Mr. Maguire.
	Sir Albert Rollit.
	Sir George Trevelyan.

Mr. *James Frederick Buckley* was further examined.

[Adjourned till Thursday next, at Twelve o'clock.

Thursday, 10*th March* 1892.

MEMBERS PRESENT:

Sir MICHAEL HICKS BEACH in the Chair.

Mr. Vernon.
Mr. Radcliffe Cooke.
Mr. Muntz.
Sir Joseph Pease.
Mr. Murdoch.
Sir Herbert Maxwell.
Sir Henry Tyler.
Sir George Trevelyan.
Mr. Howorth.
Mr. Channing.
Mr. Somervell.
Mr. Crawford.
Mr. MacInnes.
Mr. Maguire.
Mr. Herbert Gladstone.

Mr. *James Frederick Buckley* was further examined.

[Adjourned till Monday next, at Twelve o'clock.

Monday, 14*th March* 1892.

MEMBERS PRESENT:

Sir MICHAEL HICKS BEACH in the Chair.

Sir George Trevelyan.
Mr. Channing.
Mr. Somervell.
Mr. Crawford.
Mr. MacInnes.
Sir Henry Tyler.
Mr. Alfred Gathorne-Hardy.
Sir Joseph Pease.
Mr. Muntz.
Mr. Vernon.
Mr. Flynn.
Mr. Herbert Gladstone.
Mr. Howorth.
Mr. M'Laren.
Mr. Murdoch.

Mr. *William Birt*, Mr. *J. H. Nettleship*, Mr. *C. A. Randall*, Mr. *Mark Negus*, and Mr. *G. C. Taverner* were examined.

[Adjourned till Thursday next, at Twelve o'clock.

Monday, 21*st March* 1892.

MEMBERS PRESENT:

Sir MICHAEL HICKS BEACH in the Chair.

Sir Herbert Maxwell.
Mr. Muntz.
Mr. Radcliffe Cooke.
Mr. John Wilson.
Mr. Maguire.
Mr. MacInnes.
Mr. Crawford.
Mr. Channing.
Baron Henry De Worms.
Sir Joseph Pease.
Mr. Alfred Gathorne-Hardy.
Mr. Murdoch.
Mr. Vernon.
Mr. MacNeill.
Mr. M'Laren.
Sir Henry Tyler.
Sir George Trevelyan.
Mr. Milvain.
Mr. Flynn.
Mr. Heneage.

Room cleared.—The Committee deliberated.—Motion made, and Question, "That the Committee do make a Special Report to the House"—(Mr. *Somervell*)—put, and *agreed to*.

DRAFT SPECIAL REPORT, proposed by Mr. *Somervell*, read the first time, as follows :—

"1. THAT upon receipt of information that certain witnesses, namely, John Hood, Edward Kingstone, Alfred Thomas, and Henry Spink, had been censured and dismissed from their employments in consequence of having given evidence to this Committee during the last Session of Parliament, and that certain other witnesses were thereby intimidated from giving further evidence to this Committee, the Committee thereupon examined the following witnesses, namely, John Hood, James Humphreys, Edward Kingstone, Alfred Thomas, John Conacher, Samuel Williamson, John Stokes, James Frederick Buckley, William Birt, John Henry Nettleship, Charles Alfred Randall, Mark Negus, and George Charles Taverner, whose evidence is appended to this Report, and found :—

"2. That the aforesaid allegations in reference to the witnesses Edward Kingstone and Henry Spink were unfounded.

"3. That there was certain evidence in support of the allegations in reference to the witness Alfred Thomas, but not sufficient to warrant the Committee in finding the allegations proved.

"4. That it further appears to this Committee that, in consequence of the witness John Hood having given evidence to this Committee, John Conacher did lay certain charges against the witness John Hood before the directors of the Cambrian Railway Company, namely, James Frederick Buckley, William Bailey Hawkins, Arthur Charles Humphreys Owen, Robert Charles Herbert, John William Maclure, Henry Francis Slattery, and Lord Henry Vane-Tempest, in reference to or arising out of his said evidence, at a meeting held at Euston Station, on the 6th August 1891; and that the said directors did therefore, and upon the recommendation of the said John Conacher, and without instituting any judicial inquiry, dismiss the said John Hood from the service of the said Cambrian Railway Company; and, further, that the said John Conacher, James Frederick Buckley, John William Maclure, and William Bailey Hawkins, did at a meeting at Crewe, on the 30th September 1891, at which the said John Hood was present, censure the said John Hood for the evidence he had given to this Committee on the 16th July 1891; and that such procedure was calculated to intimidate others from giving evidence to this Committee.

"5. That this Committee has reported these facts in order that the House may take such steps as it shall think fit."

Question, "That the Draft Report proposed by Mr. *Somervell* be read a second time, paragraph by paragraph,"—put, and *agreed to.*

Paragraph 1, amended, and *agreed to.*

Paragraph 2.—Amendment made. Another amendment proposed in line 2, after the words "Edward Kingstone," to insert the words "Alfred Thomas"—(Mr. *Radcliffe Cooke*).—Question put, That those words be there inserted.—The Committee divided:

Ayes, 13.	Noes, 8.
Mr. Radcliffe Cooke.	Mr. Channing.
Mr. Crawford.	Mr. Flynn.
Baron Henry De Worms.	Mr. MacNeill.
Mr. Alfred Gathorne-Hardy.	Mr. M'Laren.
Mr. Heneage.	Mr. Maguire.
Mr. MacInnes.	Mr. Somervell.
Sir Herbert Maxwell.	Sir George Trevelyan.
Mr. Milvain.	Mr. John Wilson.
Mr. Muntz.	
Mr. Murdoch.	
Sir Joseph Pease.	
Sir Henry Tyler.	
Mr. Vernon.	

Paragraph, as amended, *agreed to.*

Paragraph 3, *disagreed to.*

[Adjourned till Thursday next, at Twelve o'clock.

Thursday, 24th March 1892.

MEMBERS PRESENT:

Sir MICHAEL HICKS BEACH in the Chair.

Mr. Heneage.	Mr. Howorth.
Sir Herbert Maxwell.	Sir George Trevelyan.
Mr. Radcliffe Cooke.	Baron Henry De Worms.
Sir Joseph Pease.	Mr. Vernon.
Mr. Milvain.	Mr. Maguire.
Mr. Channing.	Mr. M'Laren.
Mr. John Wilson.	Mr. Alfred Gathorne-Hardy.
Sir Henry Tyler.	Mr. Herbert Gladstone.
Mr. MacInnes.	Mr. Murdoch.
Mr. Somervell.	

DRAFT SPECIAL REPORT further considered.

Amendment proposed, that the following new paragraph be inserted in the Report after paragraph 2: "But the allegations in reference to John Hood stand, in the opinion of your Committee, on a different footing"—(Sir *Henry Tyler*).—Question, That this paragraph be inserted in the Report,—put, and *negatived.*

Paragraph 4.—Amendment made. Another Amendment proposed in line 1, to leave out the words "in consequence of"—(The *Chairman*).—Question put, That the words proposed to be left out stand part of the paragraph.—The Committee divided:

Ayes, 5.	Noes, 11.
Mr. Channing.	Mr. Radcliffe Cooke.
Mr. Maguire.	Mr. Crawford.
Mr. Somervell.	Baron Henry De Worms.
Sir George Trevelyan.	Mr. Heneage.
Mr. John Wilson.	Mr. Howorth.
	Mr. MacInnes.
	Sir Herbert Maxwell.
	Mr. Milvain.
	Sir Joseph Pease.
	Sir Henry Tyler.
	Mr. Vernon.

Another Amendment proposed, in line 1, after the words "John Hood," to leave out all the words down to the words "Cambrian Railway Company," in line 9, and insert the words, "was, by a resolution of the Directors of the Cambrian Railway Company, at a meeting held on the 6th day of August last, dismissed from the service of the Company, mainly in consequence of charges arising out of the evidence given by him before your Committee, and laid before the Directors by John Conacher, then manager of the said Railway"—(Mr. *Radcliffe Cooke*).—Question, That the words proposed to be left out stand part of the paragraph,—put, and *negatived.*

Question proposed, That the proposed words be there inserted.—Amendment proposed to the proposed Amendment, after the words "in consequence of" to insert the words, "the evidence"—(Mr. *Channing*).—Question put, That those words be there inserted.—The Committee divided:

Ayes, 9.	Noes, 9.
Mr. Channing.	Mr. Radcliffe Cooke.
Mr. Crawford.	Baron Henry De Worms.
Mr. Howorth.	Mr. Alfred Gathorne-Hardy.
Mr. MacInnes.	Mr. Heneage.
Mr. M'Laren.	Sir Herbert Maxwell.
Mr. Maguire.	Mr. Milvain.
Mr. Somervell.	Sir Joseph Pease.
Sir George Trevelyan.	Sir Henry Tyler.
Mr. John Wilson.	Mr. Vernon.

Whereupon the Chairman declared himself with the *Noes.*

Question, That the proposed words be there inserted,—put, and *agreed to.*

Other Amendments made.

Paragraph, as amended, *agreed to.*

Paragraph 5, *disagreed to.*

Amendment proposed, That the following new paragraph be inserted in the Report:

"Your Committee further consider that, whilst objection may reasonably be taken, on the one hand, to the time and manner in which the Cambrian Directors and Manager dealt with Mr. Hood, that old charges were raked up against him, and that too much has been made both of old and new charges; yet, looking to Mr. Hood's whole conduct, the Directors could not fairly be expected to continue him in the responsible position of station master, and the Committee cannot fairly censure the directors for dismissing him"—(Sir *Henry Tyler*).—Question, That this paragraph be inserted in the Report,—put, and *negatived*.

Amendment proposed, That the following new paragraph be inserted in the Report: "Your Committee have not deemed it to be part of their duty to express any opinion as to how far the conduct of the said John Hood, and the irregularities disclosed by his evidence, as well as the character of his evidence, were calculated properly to forfeit the confidence of the Directors of the Cambrian Company"—(Sir *Joseph Pease*).—Question, That this paragraph be inserted in the Report,—put, and *agreed to*.

Question, That this Report, as amended, be the Special Report of the Committee to the House,—put, and *agreed to*.

Ordered, To Report, together with the Minutes of the Evidence, and an Appendix relating thereto.

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MINUTES OF EVIDENCE.

Thursday, 25th February 1892.

MEMBERS PRESENT:

Mr. Channing.
Mr. Radcliffe Cooke.
Mr. Crawford.
Mr. Alfred Gathorne-Hardy.
Mr. Herbert Gladstone.
Mr. Heneage.
Mr. Howorth.
Mr. MacInnes.
Mr. Walter M'Laren.
Mr. Milvain.
Mr. Murdoch.
Sir Joseph Pease.
Mr. Somervell.
Sir George Trevelyan.
Sir Henry Tyler.
Mr. John Wilson.

THE RIGHT HONOURABLE SIR MICHAEL HICKS BEACH, IN THE CHAIR.

Mr. JOHN HOOD, called again; and further Examined.

Chairman.

1. YOU were station-master at Montgomery Station, upon the Cambrian Railway, were you not?—I was.

2. And you gave evidence before this Committee last Session?—I did.

3. Have you anything that you wish to bring before the Committee as to what has occurred since?—I should like to make a statement if I may be allowed to do so.

4. You will understand that what we wish to hear from you to-day is simply what affects yourself?—That is all I wish to lay before you.

5. You have been dismissed from the service of the Cambrian Railway Company?—I have.

6. That is the point upon which the Committee wish to hear you; will you now proceed to make your statement?—I wish to inform the Committee that shortly after I had given evidence before you last year I was dismissed from my position of station-master at Montgomery without a moment's notice; no reason whatever has been given for my dismissal. I had been in the service of the Cambrian Railway close on 22 years, and had been station-master for over 20 years. Immediately after I returned to my duties, after giving evidence before you, I felt that I was a marked man from the way I was treated. Every little thing that went wrong, such as a few minutes delay to a train, was most carefully inquired into, and I and my clerks had to do the clerical work at another station, constantly going between the two stations. I thought it best to do this cheerfully and willingly,

Chairman—continued.

and I did so to avoid any cause of complaint; but owing to this I had to work very hard and had very long hours on duty. I, however, did my very best to give satisfaction in every way. The work was well kept up, and on my accounts being afterwards audited not the slightest fault was found, and my guarantee money was refunded in full. On the 10th of August, about three weeks after I had given evidence before you, I was attending to my duties on the platform when a relief clerk got out of the 11.37 a.m. train and handed the following letter to me:—"Secretary and General Manager's Office, Oswestry, 10th August 1891. I am instructed by the directors to inform you that this company have no further use for your services, and on your handing over the keys and all other property of the company, the bearer, Mr. Robert Jones, will pay you a month's wages in lieu of the usual notice, and will take charge of your station from to-day. The house must be vacated on the 10th proximo. (signed) *J. Conacher.* To Mr. Hood, Montgomery." I went into the office and was paid a month's wages in advance, and handed up my keys to the relief clerk who could give me no reason for my dismissal; and as I knew of no reason myself I need hardly tell you that the blow was a terrible one to me to be so harshly treated after so many years of faithful service. I could not account for it as I had done everything I possibly could to give satisfaction, especially during the two years I had been at Montgomery. I had

Chairman—continued.

increased the goods traffic nearly every week for nearly a year up to my dismissal and had not lost the company a shilling in bad debts; and only the day before I had given evidence before you I received 30 *s.* as a prize from the company for having kept the station in such good order, and I had my salary advanced about nine months before that. I waited on the only local director, namely, Mr. Humphreys Owen, who lived at Montgomery, as early as possible, and asked him to give me the reasons for my dismissal; but he would not do so, stating that it was very irregular for me to come to him. When the public heard of my dismissal there was intense excitement in Montgomeryshire and Shropshire where I had been well known for many years. The deepest sympathy was felt for me all over the country and meetings of railway men were held and resolutions passed condemning the action of the company and sympathising with me; some wanted to get up public indignation meetings but at my earnest request they were postponed. Petitions were then got up by the public, and the following is a copy of one that was signed by the Mayor and most of the Corporation of Montgomery, also by the vicar, gentry, and nearly all the tradesmen in Montgomery and district: "We the undersigned have heard with deep regret of the proposed removal of our station-master, Mr. John Hood. Since his appointment to Montgomery Station two years ago Mr. Hood has shown himself to be a capable, civil, and obliging agent, and in our opinion has done his utmost to advance the interests of the company. We sincerely trust that the directors will see their way to retain the services of Mr. Hood, for we feel sure that his removal would be a great loss to the company and to the neighbourhood generally." The Mayor and also the Vicar of Montgomery wrote most urgent letters to the chairman on my behalf. I also made a strong appeal to the chairman to grant me a hearing, and after a long delay I was allowed to meet some of the directors at Crewe. This meeting was held at the "Crewe Arms Hotel" on 30th September, nearly two months after my dismissal, so that I was kept in great suspense and had nothing to do all this time. At this meeting the chairman, Mr. J. T. Buckley, informed me that the board thought it desirable to give me an opportunity of justifying what I had said before the Committee. This, I may say, convinced me that my dismisal was caused solely on account of the evidence I gave before this Committee. I informed the board that my sole reason for giving evidence was on account of the charges made by Mr. Conacher against me before this Committee. Mr. Conacher had brought serious charges against me. He had blamed me for not making better arrangements with regard to the accident at Ellesmere on 6th November 1887. This is referred to in Question 6866. He said I had been blamed by a previous manager in 1883 with regard to an accident then. He had led this Committee to believe that I was not suspended and removed from Ellesmere on account of signing the memorial to reinstate porter Humphreys, as you will see by referring to Question 6904. He also stated to you that I voluntarily bore the loss of my salary for a fortnight rather than that my suspension should be

Chairman—continued.

made known. That will be found at Question 6866. There were serious charges against me, and totally, in my opinion, without foundation. I informed the board that I was most anxious to clear myself before you, Mr. Conacher having refused to allow me to write to the papers. I then gave the board my reasons for confirming Porter Humphreys' statement that he was on duty 44 hours; (this is referred to in Questions 9833–34-35), and why booking clerk Robinson was put down on the pay-sheets for one night, namely, 4th November. Mr. Conacher then produced the Line Clear Book, a book which he informed you in Question 6857 could not be found on June 25th, although I saw it in his possession about 29th June, at Oswestry; and he called in a guard named John Stokes, and put the Line Clear Book before him. This guard stated, in answer to Mr. Conacher, that part of the handwriting in the Line Clear Book on Friday 4th November was his, and that he was on duty. Stokes, however, admitted that he never came on duty till about 10 p.m,, although the night man should come on duty at 7.30 p.m., and he also admitted that Humphrey's was on duty when he, Stokes, went on duty about 10 p.m., although Mr. Conacher informed you in his letter of 30th June, on page 569, that Humphreys went off duty at 7.30 p.m. on this night. Stokes also stated that he went off duty at 7 a.m. next morning, although the regular night man never went off duty until 8 a.m. I may say that I had very great difficulty in getting pay for overtime for my men, and as an instance to show this, I may say that all my men and myself were working all day on Sunday, November 6th, when the accident took place, from 3 a.m. till dark at night, and I wrote a long letter to Mr. Conacher begging him to allow us an extra day's pay, but he did not even reply to it, and we never got it.

7. What you are telling us now is practically a repetition of what you told us on the 16th of July of last year; but what we want to hear from you is what has passed since?—I understood from the directors that I was dismissed on account of the evidence which I gave; this evidence consisted principally of the fact that I confirmed Humphreys' statement that he was on duty 44 hours, and this has reference to that.

8. You were telling us previously what passed at a meeting of directors which you attended?—Yes, the rest of my statement refers to that.

9. And you stated that you were certain that you were dismissed on account of the evidence you gave; was that so?—I was not told so by the directors.

10. Did they tell you why you were dismissed?—The directors did not; Mr. Conacher told me afterwards.

11. You had better proceed with your statement?—Stokes said Humphreys was left on duty then, and he also admitted that he never saw me either when he came on duty or before he left; in fact, he never saw me at all. I then pointed out to the directors that if Stokes was on duty I was unaware of it, by Stokes' own admission. Mr. Conacher then produced two telegrams, one from him to me, and my alleged reply, as follows: "5th November 1887. 11.50 a.m." (this was the

day

Chairman—continued.

day before the accident). "Conacher, Oswestry. To Hood, Ellesmere. Can you arrange for one of your men to take night duty to-night? Roberts to do so to-morrow night and Stokes to resume on Monday night. Reply." The reply is alleged to be as follows: "5th November 1887. 12.40 p.m. Hood, Ellesmere. To Conacher, Oswestry. Reply. I will arrange for one of my men to do night duty to-night, no night man is required to-morrow night."

Mr. *Channing.*

12. What day was that?—That was Saturday the 5th; the day before the accident.

13. Saturday morning?—Saturday noon. I informed the board that I had no recollection of these telegrams. I afterwards informed them by letter that neither of them bore my signature or initials, and were not in my handwriting or my clerk's; therefore I could not have received or sent them. These two telegrams also had reference to the next night, not the 4th, and they do not say that Stokes was on duty on the Friday night; and even if this telegram was sent it would not be received by me until the dinner hour, when Davies, the warehouseman, would be at his dinner. This man would be the only man I should conclude would be able to go on duty; but I could not see him until after he returned from his dinner at 1 p.m., and I should be obliged to reply before 1 p.m. to Mr. Conacher, as the manager's office would be partly or almost closed at 1 p m; thus, if I did reply, I must have concluded that Davies would go on duty that night. Now, it is quite certain, and Davies can prove it, that I pressed him to go on duty on Saturday afternoon, but he positively refused, for the strong reason that he was worn out with work, owing, I believe, to the fact that he had had the whole of the work to do himself, with the exception that a platelayer gave him some little assistance. The regular goods porter was, I think, away. When Davies refused to go on night duty I asked Humphreys to go on night duty, but he refused; then I wired Mr. Conacher to send someone. That would be about 4 p.m., and he replied he had no one to send, or words to that effect, and I must make the best arrangements I could. Now, if my statement is doubted about this, I beg to ask you to call Davies and Humphreys, or the other men on the station, who, I feel sure, will confirm what I say. I would here point out to you that if guard Stokes was on duty on the Friday night why did the company allow the extra pay to booking clerk Robinson? Was it likely that Mr. Conacher would allow this extra day's pay to Robinson if Stokes was on duty; for he states, in Question No. 6847, that every case of overtime is strictly examined. The board of directors then pointed out to me that I had initiated the Line Clear Book on the 6th and must have nociced guard Stokes' writing; but I say, in reply to that, that the writing is very much like Humphreys', and I believe Humphreys will say it is his, or at least part of it. Mr. Conacher himself evidently thought it was Robinson's writing when he wrote you on 30th June, as per page 569, that "Robinson was on duty this night," and in my presence he asked Roberts, the night man, if it was not his writing. He also

Mr. *Channing*—continued.

asked me then whose it was, and I said then I thought it was Humphreys'. This clearly shows it was difficult to identify the writing. It is also evident that I could not have been examined the book carefully on this date as several spaces have not been filled up. The subject of the permanent way was then gone into; this is referred to in Question 9831. Mr. Conacher stated that it was the failure of the points to fall back into their proper place that caused the accident. I however, produced a sketch of the wrecked train which showed the points to be properly closed after the train had come to a stand. This sketch shows that the whole of the train which got off the metals had gone some distance over the points before the engine or wagons had left the metals. The position of the wagons was taken by myself immediately after the accident, and before any of them had been moved, at four o'clock in the morning.

Chairman.

14. I understand you to be telling the Committee what passed between you and the directors; is not that so?—Not exactly.

15. You must confine yourself to that; we cannot go into matters beyond that?—This was all brought before the directors on the occasion of the meeting; it was all gone into. Of course I make some remarks upon what took place as well as I go along, but I cannot say that every word I say now was said then.

16. It is not the duty of the Committee to inquire into the cause of the accident; we only want to know what happened at the meeting?—I understand the directors blamed me for saying that the permanent way was rotten.

Mr. *Radcliffe Cooke.*

17. Did you discuss this question of the permanent way at this meeting with the directors?—Yes, I did.

Mr. *John Wilson.*

18. Are these the facts you placed before the directors when you met them at Crewe?—Not all of them.

Chairman.

19. You must only tell us what passed between you and the directors?—I think it nearly all took place, but of course I should not like to say it was all said; I made this statement from what took place.

20. Will you tell the Committee what took place, and nothing else?—Mr. Conacher then produced the letter I wrote to him, and this letter was read to the board of directors. This is the letter I wrote to Mr. Conacher; it is dated 18th November 1887. "To Mr. J. Conacher, Oswestry. The new trap that has been put up by Mr. Cheesman has been tampered with last evening by some person or persons unknown. The signals could not be drawn in, and a porter had to go down to the points to put the trap right."

Mr. *Milvain.*

21. Has this reference to what took place between you and the directors immediately before or after you were dismissed in 1891?—Yes;

Mr. *Milvain*—continued.

Yes; this is an old letter of mine that was read over at the meeting: "This looks very much as if the points had been tampered with on the morning of the 6th, after Humphreys had examined them. I need hardly tell you that if there is a person who is guilty of such a thing as trying to throw a train off the line, it is a very easy matter for him to do it at the points without anyone knowing it." Now when I gave my evidence before you last year I had no recollection of writing this letter. I wish, however, to point out to you that the accident on 6th November 1887 could not possibly have taken place on account of this trap.

Chairman.] But is this what you said to the directors; we do not want to hear from you anything about that accident; what we want to hear is what passed between you and the directors?

Mr. *Alfred Gathorne-Hardy.*

22. Were you told at the commencement when you went in that there was a shorthand writer there to take everything down that passed between you and the directors?—I saw the shorthand clerk there.

Mr. *John Wilson.*

23. But were you told; the question is not whether you saw him, but whether you were told that there was a shorthand writer there, and that he was to take down everything you and the directors said?—I was not told that, but I have had a report sent me by Mr. Conacher of what took place at Crewe, but I dispute the accuracy of it; I do not think it is a correct statement.

Sir *Henry Tyler.*

24. But you saw the shorthand writer taking it down?—Yes; I saw the shorthand writer taking it down, but I dispute the accuracy of some of the statements.

Chairman.

25. We do not want you to point out anything to us except what passed between you and the directors?—It would be very difficult for me to do that, because I dispute the accuracy of the statement which is produced of what passed at the meeting.

26. Have you a copy of the statement?—I have (*producing the same*).

27. Will you tell us in what respect it is inaccurate?—The statement states in one part, with reference to the permanent way: "My idea was that the accident was caused by the defective permanent way, and that porter Humphreys was not to blame. I am very sorry." I dispute having said those words, "I am very sorry." Then again the Chairman made the following remarks: "I appears that the whole object you had was to screen Humphreys, and that in doing so you followed up the evidence and gave out in black and white: first, that this man was on duty 44 hours; second, that the permanent way was rotten; and, third, that that was the cause of the accident"; and then is the statement, "Mr Hood. That is so." I dispute having said those words.

28. You do not agree to that?—I do not.

Mr. *Channing.*

29. What did you say?—I could not recollect now what I said. Then again, Mr. Maclure made this statement: he said, "Do you believe Stokes, and have you told the Commission a lie or unwittingly said what was untrue." It is stated here that I said, "I must have made a misstatement if Stokes was on duty, and I am very sorry." I dispute that statement.

Chairman.

30. What did you say to that?—I cannot recollect now what I said, but certainly I never said that. The Chairman afterwards said, "You are now quite clear that Humphreys was not on duty 44 hours," and here it is alleged that I said, "Yes; but at the time I was convinced of the truth of what Humphreys told me." I dispute having stated that.

31. Can you tell the Committee what you did say?—I have put down in my statement here what I did say to the best of my recollection. I have underlined what I did not say, and the other I agree to; it is only about ten lines that I dispute.

32. With these exceptions do you admit the accuracy of the statement?—Yes; but there are several more that I have not mentioned yet.

33. Will you tell us what they are?—The chairman said, "Just so; you have screened Humphreys, and now you see what it has got you to." Then Mr. Maclure said, "No, it is to screen Mr. Hood himself from a gross neglect of duty, and he had better say frankly that the replies to the Select Committee, giving the thing in the way in which he did, were false." Then I am reported to have said, "When I made the statements I believed them to be correct, but Humphrey's evidently was not on duty on Friday night." I dispute that.

34. You still assert that Humphreys was on duty 44 hours?—I think there is a little doubt about that.

35. Why do you think so?—Because the directors produced a man of the name of Stokes, who said he came on duty at ten at night on one of those nights.

36. Did Stokes say he came on duty?—He said he came on duty.

37. There would seem to be a good deal of doubt about it if another man said he came on duty, would not there?—I think Stokes has made a mistake; I know that Stokes could not recollect on which night he came on duty, and Humphreys was quite certain he was on duty this night.

Sir *Henry Tyler.*

38. Could you give the Committee what answer you made to the directors instead of what is put down here?—I could not say exactly, but certainly not what is put down.

Mr. *Howorth.*

39. Do you not make entries when men come on in this way?—Stokes said he came on duty after I had gone to bed.

40. But is there no record kept?—There is nothing but the line clear book.

41. Was

Mr. *Crawford.*

41. Was it the night of the accident or the night before when this man was on duty?—It would be two nights before the accident; it was on Friday night.

42. When did the accident take place?—The accident took place on Sunday morning.

Chairman.

43. This was part of the 44 hours. (To the *Witness.*) Have you told the Committee of all the statements in the report to which you take exception?—Mr. Conacher says, "You produced to the Commission a letter of mine, dated 10th December 1887, to show that you were not blamed in connection with the accident. That letter only dealt with the porter's case. Your case was dealt with at the board meeting which followed on the 21st December, and I sent for you on 23rd December, and informed you that the directors had decided to remove you to some other station, following a report upon a similar accident four years before; and that with regard to signing the memorial, an order for suspension for a fortnight had been made." (Mr. *Hood.*) "I admit this." I dispute that statement, I dispute that I said the words "I admit this."

44. Did you deny it at the time?—What I believe I stated at the time was this, which I have always asserted, that I was suspended and removed from Ellesmere on account of signing the memorial alone.

45. Then are we to understand that when you were asked this question before the directors your answer was the same as what you have stated to us here?—I think it would be so. I should not like to say exactly.

46. There is no doubt about your having been suspended, the question is what were you suspended for; will you read on?—Mr. Conacher then said "You were not suspended on account of the accident? (Mr. *Hood*). I do not remember it. (Mr. *Conacher*). But I told you that you were to be removed. We agreed then that you were suspended on account of signing the memorial."

Mr. *Murdoch.*

47. Are those Mr. Conacher's words?—According to their own reporter.

48. Who said "We agree, then, that you were suspended"?—Mr. Conacher.

Chairman.

49. Will you now go on with any further objection you have to make to the report?—The next objection I have to make to the report is this, (Mr. *Conacher*) (continuing). You received my reply to your first letter, in which I showed you that all my statements were true, and in which I wound up. These are the facts, and my evidence, extracted from me unwillingly in cross-examination, is in strict accordance therewith. There is nothing to correct, and I cannot consent to your commmunicating with the papers." I could not give you permission to give evidence, because you must be summoned for that purpose. The general manager of another company was severely cross-examined for telling one of his men that he must go before the Select Committee, and do not you think I was wise in not telling you to go up—(Mr. *Hood.*)—Yes." I dispute having said that word "Yes." What I did say was this: "I was present when that happened to Mr. Birt; but what I said was that I had applied twice." That is correct as reported. The next statement I dispute is this: "(Mr. *Maclure.*) Did you know when you went to London that by application to Mr. Conacher you would get the money refunded? (Mr. *Hood.*) Yes, I quite agree with that." I dispute having said those words.

Chairman—continued.

50. Has the money been refunded?—That had reference to the fare paid.

51. You received that from the Committee?—Mr. Conacher and the board thought that I should have the money from them by my applying for it, that they promised it me; but the fact is they never promised it me.

52. You never applied for it, did you?—I did not apply for it afterwards, because I got it after I went back, after I had given my evidence. That is all I dispute with regard to my own statements.

53. Have you anything further to add?—I have my general statement to make. I was about to make a statement with reference to my first application to give evidence; my first application to Mr. Conacher clearly set forth the reasons why I wanted to come to give evidence.

54. Has that anything to do with your dismissal?—I think it has. I said in my evidence that I made two applications to give evidence before this Committee last year; the fact was that I made three or four. This refers to the first application I made, and it will clearly show why I wished to come to give evidence. I should like to read the letter of 27th June 1891.

55. Does that letter go into a number of charges that you were anxious to bring against the company?—No, it only shows that I wanted to give evidence in order to dispute what Mr. Conacher had said about me.

56. Will you read it?—"Dear Sir,—Accident at Ellesmere, 6th November 1887. I have to-day seen report of your evidence given before the Select Committee, in which you state that at the time the above accident happened an intimation was given to me that I should be removed to another station, and that I was suspended on account of the said accident for a fortnight, and that I volunteered to duty for a fortnight for nothing. Now, the correct particulars were that no blame whatever was attributed to me with regard to the accident itself, as I had given written instructions for the points to be examined, and that no intimation of any blame was given to me till 22nd December 1887 (nearly seven weeks after), when you sent for me and told me that in consequence of having signed the petition got up in favour of J. Humphries, the directors ordered that I should be suspended for a fortnight without salary. I had no option but to submit to it; therefore I could not volunteer to do my work for a fortnight for nothing. You will thus see that the report to-day will do me great harm, as I have been well known and respected by almost everybody in Shropshire for many years, and I beg to ask you to allow me to give evidence on this matter before the Select Committee, and also write a letter to the editor of the

Chairman—continued.

the "Salopian" paper, otherwise my character is gone, unless the matter is put right. I feel sure you only wish for the truth to be known to the public. It has been my wish to have nothing to do with the agitation now going on and I have tried my best to keep entirely free from it, but the statements in the papers to-day will lead the public to believe that I was suspended on account of the accident and that I had thus neglected my duty, and that I volunteered to submit to punishment and thereby acknowledged I was to blame; and you are aware I was not to blame, and was not blamed for anything except signing the petition. I feel the matter most deeply, as up to now the public have sympathised and helped me, and only a short time ago they asked me if they might get up a petition in my favour for me to go back to Ellesmere, the same as they got up before. All I want now is for the truth to be known. (signed) Yours truly, *J. Hood.* That is the first application. If the Committee wish, I will read Mr. Conacher's reply to it.

57. Will you please do so?—"Secretary and Manager's Office, Oswestry, 29th June 1891. To Mr. Hood, Montgomery. Accident at Ellesmere, 6th November 1887. I am in receipt of your letter of the 27th instant; you are, however, mixing up the order of the directors with regard to your signing the petition with their order upon the accident as it affected you, and I beg to remind you that in May 1883 the then traffic manager on the occurrence of a similar accident reported the discipline at your station as being unsatisfactory, and that he intended to transfer you to a less important post. This change he did not carry out, and it must be within your recollection that when the 1887 accident occurred I intimated to you that that intention must then be given effect to. You thereupon stated that rather than be disrated you would leave the railway service, and take to farming. To enable you do so further time was given, but ultimately you were unable to carry out that intention, and the removal to Montgomery took place. These are the facts, and my evidence extracted from me unwillingly in cross-examination is in strict accordance therewith. There is nothing to correct, and I cannot consent to your communicating with the papers. (signed) *J. Conacher.*" You will thus see that no permission was given in this letter for me to go to London to give evidence; the subject was entirely ignored. On 1st July I made my second application as follows: "Montgomery Station, 1st July. To J. Conacher, Esq., Owestry, accident to down mail at Ellesmere, 6th November 1887. After seeing your evidence as given in the 'Oswestry Advertiser' to-day I beg to renew my application to allow me to give evidence at once before the Special Commission in London on Hours of Labour of Railway Servants. I have not the slightest recollection of the accident in 1883, and the late traffic manager never threatened to send me to another station. I have very strong evidence to prove that no blame whatever was put on me with regard to the accident of 1887, and that I was solely blamed and suspended for signing the petition alone. I have copies of letters from you which, I feel sure, will clear my character before the Commission and the public, and I must beg of you to allow me leave and passes to go to London at once; my character is at stake, and I must defend it; surely you will not refuse to allow me a hearing after what has been said of me (signed) *J. Hood.*" No reply whatever was received by me to this letter, and, after waiting a week, application was made by two Members of Parliament, the Honourable G. Kenyon and Mr. Stanley Leighton, for me to be allowed to give evidence, and on 14th July I received a telegram at 5.35 p.m. from this House, to the effect that I was to give evidence on the 16th July, at twelve o'clock at noon. I at once sent off the following telegram to Mr. Conacher, making it a special telegram: "S.P.—14th July 1891; 5.50 p.m.—Hood, Montgomery, to Conacher, Oswestry: Telegram just received from House of Commons requiring me to give evidence before Committee on Railway Servants on Thursday next, 16th July, at twelve o'clock. Please grant me leave of absence to go and passes to Euston and back; shall require to start to-morrow night." No reply was received to this telegram that day. I sent another letter again by the mail at 8.35 p.m., and I am uncertain if I did not telegraph again next morning, after I had received the summons which arrived by post. I can only say that had my telegram been attended to at 5.50 p.m. there was plenty of time to have got my passes for the next night to Euston and back, either by letter or telegram. I received no reply granting me leave till 9.30 a.m. next morning, 15th July, only a few hours before I had to start. About twelve o'clock at noon I received the following letter from Mr. Conacher. "Secretary and Manager's Office, Oswestry, 15th July 1891. To Mr. Hood, Montgomery. Accident to down mail at Ellesmere, 6th November 1887. As stated in my wire this morning your telegram was despatched too late to receive attention last night. You can have the leave asked for and I enclose passes to Welshpool, but time does not admit of a ticket order being obtained. If, however, you will let me know the number of the ticket taken I will apply for a refund. Relief clerk Roberts will take charge of the station during your absence. (signed) *J. Conacher.*" The directors charged me with asking for my railway fare when they stated that this letter promised it me, but the fact was that it did not promise it to me. The letter only states that Mr. Conacher would apply for it, and the fact of Mr. Conacher not applying for a free ticket order when there was plenty of time, convinced me that the company did not want me to give evidence, and that they would not ask for a free ticket order. Besides there were plenty of tickets to London and back in my station which Mr. Conacher could have allowed me to have used. This was done on one or two occasions before in a case of urgency, and the reason I asked for my railway fare from this Committee was that I was convinced Mr. Conacher would never refund it.

58. Was anything about this matter of your attending to give evidence stated at the meeting you had with the directors?—Yes; this was all very minutely gone into.

59. And you consider that that was one of the reasons for what passed with regard to that; that this was one of the reasons which led to your dismissal?—Yes. I believe the directors have brought

Chairman—continued.

brought no charge against me except the evidence I have given. I do not think they can bring any charge; that is to say, I am not aware of any. The letters and telegrams I have read must convince you that Mr. Conacher did not want me to go to give evidence, or why should I have had to apply to him so often; and yet he had issued to me and other servants a circular, as you will see by Question 6832, stating that ample facilities would be offered to us to give evidence, and a free pass granted. Was it possible for me to trust Mr. Conacher's word? I am convinced that had I not asked this Committee for my fare I should never have got it. That was the close of that.

60. Have you anything further to tell us about the meeting between you and the directors?—I do not think I can say anything more with regard to the meeting.

61. Then what passed after that?—I am just about to state that. The meeting of the Board came to an end by the directors informing me that they would report what I had said to the General Board of Directors the following Tuesday, and in the meantime if I had anything more to say I could write to the chairman at the Euston Hotel before the Board met. I did write a letter to the chairman, and tried my best to show the directors that the reason I had given evidence was simply to clear my own character, and submitted that I should be allowed to remain in the service till this Committee had passed judgment on my evidence; but it was all in vain, the directors turned a deaf ear to all my earnest appeals and refused to reinstate me. As soon as their decision was made known there was great excitement all over the country, as nearly everybody were before of opinion that the directors would reinstate me, and when they saw it was otherwise, public meetings were got up, and also meetings of railway men all over the country, which passed resolutions strongly condemning the action of the company. A public meeting was held at Wrexham, over which the mayor presided, and at this meeting resolutions were unanimously passed strongly condemning the action of the Cambrian Company, and so intense was the feeling that the Radical Candidate for the Denbigh Boroughs, Mr. A. C. Humphreys Owen, who was a director of the Cambrian Railway Company, and resided at Montgomery, had to retire. Another very large meeting was held at Newtown at which resolutions were also passed condemning the action of the company. After my dismissal I was unable to get employment for some time, but eventually, I got temporary employment from Sir Pryce Pryce Jones at the Royal Welsh warehouse at Newtown, who deeply sympathized with me and who acted in a very noble way to me. This employment will however soon cease, and I shall soon be thrown on the world with my wife and children. I would respectfully ask you to consider that I have lost my position, which has taken me over 20 years to build up; I have lost my salary; my prospects have been blighted; and for a time my health gave way under the terrible treatment that was meted out to me all because I came here and tried to defend myself, and I appeal to you for justice. No one will regret it more than myself if I have made any mistake in my evidence,

Chairman—continued.

but I am unaware of having said anything wrong. The only thing I should wish to do now would be to read, if you will allow me, several testimonials which I have received from various managers during the time I have been station-master on the Cambrian line.

62. You may read them?—I was originally a clerk on the North Eastern Railway, and was appointed clerk at Llanymenech in 1869. After serving there as clerk for a time I was appointed to be relief clerk. Shortly after that I became station-master at Criccieth. After I had been station-master there for a short time I received the following letter from Mr. Cattle, dated August the 3rd 1872: "Sir,—At the last meeting of the Board of Directors, the subject of the salaries of all the station-masters on the line was taken into consideration, each case being considered on his own individual merits, and I am glad to be able to inform you that, on account of the creditable manner in which you performed the duties at your station, you will be allowed to occupy the house recently erected at your station rent-free. Yours truly, (signed) *H. Cattle.* To Mr. Hood, Station-master, Criccieth." After being at Criccieth four and a half years I was offered the post of station-master at Ellesmere without ever having asked for it, and after having agreed to accept it I received the following letter from Mr. Cattle: "Cambrian Railways, Traffic Manager's Office, Oswestry, 26th April 1875. Dear Sir,—I have received your letter, and regret that I cannot alter the wages at Ellesmere, namely, 25 *s.* for six months, and then 27 *s.* 6 *d.* There are several reasons why this cannot be done, but the strongest is that I should have no difficulty whatever in finding a man fully competent to take the work at the wages named. I have many applications for it, and have fixed upon you, because I observed that you have endeavoured to do your duty faithfully and efficiently at Criccieth, and, I think, the change is altogether an advantageous one. Yours truly, *H. Cattle.*" When I was at Ellesmere my salary was raised three times. I went at 25 *s.* a week, and it was raised till it was 33 *s.* a week. In the year 1885 I received the following letter from Mr. Conacher. The station at Whitchurch was vacant, and I made application for it. "Cambrian Railways, Traffic Manager's Office, Oswestry, 11th November 1885. Whitchurch. Dear Sir,—I am in receipt of your letter of yesterday, and should have had pleasure in considering your application had it been in my power to do so, but the appointment of the Whitchurch agent rests solely with London and North Western. Yours truly, *J. Conacher*, Secretary." I may also say that on leaving Criccieth I was presented with a purse of gold, and a testimonial. Also when I left Ellesmere Station I was presented with another purse of gold, and a beautiful cruet stand. Then in September 1889 I received the following letter from Mr. Conacher. I was then making application for the position of relieving officer at the Ellesmere Union. "Dear Sir,—Mr. Hood informs me that he is a candidate for the post of relieving officer in your district, and I beg to state that he has been in the service of this company for about 20 years, for about 14 years of which he was, as you are aware, station master

Chairman—continued.

at Ellesmere, and I am of opinion that his qualifications are such as to befit him for the position he seeks. (signed) *J. Conacher.*" I may say that only the day before I came and gave evidence here I received a prize of 30*s.* for one of the second best-kept stations on the line.

63. Have you any objection to telling us what is your employment now?—I have no objection whatever; I am only acting as clerk in Sir Pryce Pryce Jones's office at Newtown.

64. At lower wages than you received from the Cambrian Company?—Yes; I am only receiving 22*s.* per week. At the Montgomery Station I was receiving 80*l.* a year, a house, coals, and gas, and many other things. Sir Pryce Pryce Jones is only keeping me now because he was of opinion that I should be soon upon the railway again; at least, he has told me so; but when my employment with Sir Pryce ceases I shall be simply thrown upon the world.

65. You told the Committee of a prize you had received for keeping your station in good order in 1891; was any statement made to you with that prize?—Yes; it was a statement made to me and all the other station-masters who received prizes; about 20 prizes were given amongst about 70 station-masters, and my name is about third on the list.

[*The Witness handed in the following Circular*]:—

Cambrian Railways.

Secretary and General Manager's Office,
Oswestry, 15 July 1891.

Premiums for Best-kept Stations.

I am instructed by the directors to announce, as follows, the awards for the present year:—

		£.	*s.*	*d.*
Best-kept,	Mr. W. Delahay, Talgarth	3	–	–
Second best-kept,	Mr. J. Carsley, Llynclys	2	10	–
Third Grade	Mr. W. Davies, Llanfechain	1	10	–
	Mr. J. Hood, Montgomery	1	10	–

(Other names follow.) (signed) *J. Conacher*, Secretary and General Manager.

Mr. *Heneage.*

66. With regard to the shorthand report of the proceedings at the meeting, have you any complaint to make as to any omission, or do you admit that the report is a full and correct report with the exception of what you have told the Committee?—I believe that several things were missed out.

67. Important statements missed out, and of your own?—No, Mr. Conacher's; I do not think I can put my hand upon anything but what I have said, except what I agree with.

68. You do not think anything was omitted?—I believe some things were omitted, but they do not affect me. There was a statement omitted, I believe, with regard to Davies, the warehouseman.

69. The only points you ask the Committee to regard as inaccuracies are those that you have mentioned?—That is so.

70. You do not complain of anything else as an omission or a misstatement?—I do not complain of them.

Mr. *Heneage*—continued.

71. You stated that the block telegraph book was produced at the directors' conference, and that from it evidence was given; was that the same block telegraph book which on the 23rd of June Mr. Conacher said he could not find when the Committee asked for it?—Yes, that is the same block book.

72. Which the Committee asked for upon the 23rd of June, and Mr. Conacher stated he could not find it?—Yes, that is the book.

Mr. *Channing.*

73. You have stated in reply to Mr. Heneage that you do not complain of any other omissions in the shorthand report of the meeting; have you gone carefully through the shorthand report, and are you aware that it states all you claim to have stated yourself or not?—Yes; I do not think there is anything more that I can say about it.

74. There is no omission to which you wish to draw attention?—There was an omission with reference to Davies, the warehouseman. When asking him to go on duty that night, I stated at that meeting that his being unable to do so was on account of his not having assistance in the warehouse, and that was not put in the report. His objection to go on duty was that he was too hard-worked, and that he had no assistance in the warehouse; that was mentioned at the meeting, and it is not in the report; that is the most important thing; but it is not a matter of very great importance, perhaps.

75. Your general statement is that you were dismissed because of the evidence given by you on the 16th July?—Yes.

76. And no other cause for the dismissal was alleged?—No other reason whatever has been given me except with reference to my evidence. Mr. Conacher told me at Crewe, after the meeting, that I had been dismissed on account of the evidence I had given; that is all I have heard.

77. With reference to that evidence you come here and say that that evidence is, to the best of your belief, true which you gave here upon the 16th July last?—Yes: and I believe that it was true when I gave it last year.

78. With reference to the character of Humphreys; with reference to the character of the permanent way contributing to the accident, and the number of hours of duty?—Yes.

Mr. *Somervell.*

79. At the interview with the directors, did this conversation take place; first, the chairman says, "You are now quite clear that Humphreys was not on duty 44 hours?" To that the reply was, "But at the time I was convinced of the truth of what Humphreys told me." Did the chairman reply, "Just so, you have screened Humphreys, and now you see what it has got you to"?—Is not that one of the points of the report that I object to?

80. Did the chairman say this, "Just so; you have screened Humphreys, and now you see what it has got you to." I want to know whether that is correct, or not?—That is correct.

81. Do you infer from that sentence of the chairman that it was on account of the evidence you gave before this Committee that you were dismissed?

Mr. *Somervell*—continued.

dismissed?—I infer it from the previous sentence, not from that.

82. I want to know whether you understood this sentence of the chairman to mean that you were dismissed owing to the evidence you gave before this Committee?—I should have that impression.

83. Then at that interview Mr. Conacher admitted that with regard to the signing of the memorial an order for suspension for a fortnight had been made upon you; that you are agreed upon?—Yes.

84. You said last year, in reply to Question 9824: "You believe you were suspended for signing the memorial and not for any fault in your action?" "Yes, certainly;" that is what you stated before the Committee. At this interview did Mr. Conacher say: "With regard to signing the memorial an order for suspension for a fortnight had been made," and you are reported to have said, "I admit this," and then Mr. Conacher said, "You were not suspended on account of the accident;" and then he goes on to say, "we agree, then, that you were suspended on account of the memorial," and you say "Yes," therefore your statement in answer to to Question 9824 is admitted by Mr. Conacher to be absolutely correct?—Yes, Mr. Conacher and I agreed about this, that I was suspended on account of signing the memorial only. I say that I was removed on account of signing the memorial as well.

85. You believe that you were suspended on account of signing the memorial and not for any fault of your action, and at that interview between you and the directors Mr. Conacher admits that your answer is absolutely correct?—Yes.

86. Then there was a difference between you as to whether the removal to another station was owing to the accident, or owing to signing the memorial, your opinion was that you were removed owing to signing the memorial, and Mr. Conacher states that you were removed as a separate punishment put upon you owing to the accident taking place following upon a similar accident having taken place four years before?—Yes.

87. That is were you differ?—Yes.

Mr. *Howorth.*

88. What was the date when you received the testimonial from the company; the thirty shilling prize?—It was the day before I came to give evidence, I think.

89. Was that after you had signed the memorial?—I signed the memorial four years before that; about four years at any rate.

Mr. *John Wilson.*

90. I wish to ask you a question to clear up an answer you gave to Mr. Somervell, you said that the chairman made some opening remark at the meeting at Crewe, which led you to think that you had been dismissed for coming here to give evidence; you did not tell the Committee what that remark was?—The chairman said, "The directors believed when they came to their recent decision relating to yourself that they had before them all the facts of the case to enable them to come to a judgment. Of course they had all the correspondence, but in consequence of the letters you have written to me the Board have thought it desirable to give you an opportunity of making any statement you may wish to do. You must understand that your dismissal was not because you gave evidence before the Select Committee. You were summoned to give evidence, but you must address yourself to the question of the justification of the statements you made there." From those remarks I concluded that I was dismissed on account of the evidence which I gave before this Committee.

Mr. *Herbert Gladstone.*

91. How long after the meeting of the directors at Crewe was it before you were supplied with a copy of the shorthand writer's notes?—About a week.

92. Did you make any representations to the directors about the alleged inaccuracies?—I wrote to Mr. Conacher and told him that I did not agree to the accuracy of the report.

93. You told the Committee your house was given rent free for your services; can you tell us what the value of it was?—That was the house at Criccieth.

94. What would be the value of it?—It would be quite 15 *l.* a year.

Mr. *Milvain.*

95. In that statement you have read you make some statement as to some telegrams which are alleged to have passed between you and Mr. Conacher; was that previous to the accident of 1887?—Yes.

96. Do you dispute those telegrams?—I would not like to dispute those telegrams.

97. You say they were not in your handwriting?—I have no recollection of the telegrams, but if I saw them I could tell.

98. Did you not state to us that you did not send those telegrams?—I did not say I did not send them but that I did not recollect sending them.

99. Do you mean to say you might have done it and still forgotten?—I may have sent them, but I should like to see the telegrams before I could say with any certainty.

100. Do you think that the railway authorities are capable of having forged those telegrams?—I should not like to put it in that light.

101. If they were not written by you they must have been written by somebody?—But the telegrams might be received and I not know that they had come; I might have been at the Bettisfield station, which I had to look after as well as my own.

102. If the telegram did not come from you but came in your name, it must have been forged, must it not?—No, a telegram is often sent in my name by the clerk at the station; but if I saw the original telegrams I could tell; I could tell whether I sent them or had received them.

103. You have your doubts about them?—Yes, I have my doubts about them.

104. Now about the hours of Humphreys' have you still your doubts about that; that he worked 44 hours without interruption?—I have my doubts about it; I had much rather that he did not.

105. If Stokes says he was on duty you have your

Mr. *Milvain*—continued.

your doubts about that too, have you not?—Yes, because Humphreys says he was on duty, and Stokes says he was on duty.

106. There had been an accident at the Ellesmere station, and the Board of Trade reported that it was in consequence of negligence; but in consequence of the rottenness of the permanent way?—Yes.

107. So you and the Board of Trade Inspector are in conflict upon that point?—Yes; but my opinion upon it is this, with reference to the permanent way, that the Board of Trade Inspector never saw the sleepers which were down at the time that the accident took place; they were all removed from the line and the line re-ballasted when he saw it.

108. Did you give evidence before the Inspector?—I gave evidence before Colonel Rich.

109. Did you tell him that the rotten sleepers had been put out of the way?—No.

110. Did you tell him that the permanent way was rotten?—No, certainly, I did not tell him that.

111. Why did you not tell the Inspector who came down on behalf of the Board of Trade that the permanent way was rotten, and that the sleepers were put out of the way?—Because when we were examined before Colonel Rich we were only asked certain questions; those questions had been previously asked us at Oswestry by Mr. Conacher when there was a previous inquiry by the engineers, and when the Board of Trade Inspector came down to my sitting-room at Ellesmere station these questions were put to us and we simply answered them.

112. Yes or no; are you in conflict with the Report of the Board of Trade as to the cause of that accident at Ellesmere station?—Yes.

113. I think I have only one more question to ask you now; you are in conflict as to the cause of your dismissal?—Yes, because I hold that my dismissal is brought about in reference entirely to my evidence, and Mr. Conacher has admitted that my dismissal was not on account of the accident, so I do not think that we are in conflict.

114. You are in conflict, first, as to the authenticity of the telegrams which you allege may have been forged?—I should not like to put it in that way.

115. Which were capable of being forged?—I should not like to put it in that way.

116. You are in conflict as to the authenticity of the telegrams?—Yes; but my opinion is that the telegrams are of very little importance.

117. Then you are in conflict with Mr. Conacher as to the hours worked by Humphreys?—Yes.

118. And you are in conflict with the Board

Mr. *Milvain*—continued.

of Trade as to the cause of the accident at Ellesmere?—With reference to the hours worked by Humphreys, Mr. Conacher has made three statements as to the man who was on duty that night. First, Mr. Conacher said the night man was on duty that night; then he said that the clerk, Robinson, was on duty that night, and now he has brought forward the man Stokes as having been on duty that night.

119. There are four conflicts as to this duty?—I am anxious that it should be proved that Humphreys was not on duty this night, but he was on duty when I went away, and I found him on duty the next morning.

Mr. *Alfred Gathorne-Hardy.*

120. You have been a railway servant 21 years, have you not?—Yes; I was with the North Eastern before I joined the Cambrian.

121. When you applied for a pass you got an answer from Mr. Conacher, stating that your application was received too late to send you a pass, but that he would apply for a refund?—Yes.

122. Knowing the position of the traffic manager on the line, do you say now that you would not have been perfectly safe to have had a refund if you had applied for it?—Mr. Conacher had treated me in such a cruel manner that I could not depend upon his word; and it was exactly the same to me whether I got the money from the company or from the Committee.

123. You have said that you got a prize of 30 *s.* for keeping your station in order; had you got a little bit of land which you cultivated?—Yes, I had a very large piece at Montgomery; a very good garden.

124. Was that 30 *s.* a prize annually given by the directors on their trip for the manner in which the garden was kept?—It says in the circular that it was given for the "best-kept station."

125. Does that mean for the cultivation of this land at the station?—I should take it to mean for that only as a part; I should take it to mean for the best-kept station in every respect; not only the garden, but the station itself.

126. Would it not be for the appearance of the station as seen by the directors passing along the line?—Yes, I take it that it would be.

Mr. *Somervell.*

127. Did not Mr. Conacher state to you at the interview you had with the directors, "Do not you recollect that when, on my arrival on Sunday morning at the scene of the accident, I asked you what would have caused the accident, you said you thought it was the state of the sleepers?"—Yes.

Mr. John Hermon Stafford, called in; and Examined.

Chairman.

128. You are the general manager of the Lancashire and Yorkshire Railway, I believe?—Yes.

129. And you wish to refer to some evidence

Chairman—continued.

given before this Committee with reference to your railway?—Yes.

130. Will you state the number of the answer?—Beginning with No. 2493 in the evidence of

Mr.

Chairman—continued.

Mr. Harford. In the first place I wish to say, taking it in the order in which it was given that I think Mr. Harford mostly spoke of passenger guards, he specially referred to the hours worked by some of them in the Accrington district, the times he gave were substantially correct; there may have been some little inaccuracies in some of them, but they were substantially correct. I have selected the two cases which were the worst. I thought that by referring to those they might be taken as typical of the rest; one of 14 hours on a week-day, and on a Sunday of 14 hours and 10 minutes. In the first case the actual time worked was 14 hours and the booked time 13 hours five minutes; but I wish to point out that out of that time the guard was out of his train eight hours and 55 minutes, and is out of his train to that extent in the ordinary course of his working, except on Tuesdays and Fridays, which are the market days in Manchester, when a large number of people from the various manufacturing towns in Lancashire come in to Manchester when that train does a little extra work; on those two days he is out of his train 7 hours and 3 minutes; on all the days except the two I have named the longest interval he is out of his train is 6 hours and 5 minutes at one time. On Tuesdays and Fridays the longest interval is 2 hours and 41 minutes. Then in the other case I am referring to, on the Sunday the booked time is 13 hours and 26 minutes; out of that the guard is out of his train 8 hours and 42 minutes, there being two long intervals, one of 3 hours and 40 minutes and the other of 3 hours. Then with reference to the working of the guards generally I have taken out some figures that may bear upon the question.

131. Before you go to that point I wish to ask you with regard to these intervals that you have named, are they at the stations at which the guards live or have the company provided any means for the guards obtaining rest and refreshment at the places where the intervals occur?—In some cases it may be that the intervals occur where the guards live; I cannot say in all cases, but there are generally speaking guards' rooms or other rooms where the guards may spend their time when they are off duty; their refreshments they arrange themselves. Then as to the total number of passenger guards in the service we have 279, of whom 267 work on week-days and 78 on Sundays. The average time of 162 of them is just under 10 hours per days, of which only 5¼ hours are in the train; the average hours of the remaining 105 are 10 hours and 50 minutes per day of which 5 hours and 40 minutes are spent in the trains; and this last average includes such extra working as they have on Saturdays, when additional trains are sometimes run, and other days on which there are special market trains. The average of Sunday work, upon which 78 guards are employed, is 11 hours 36 minutes per day, of which only 5 hours 18 minutes are in the train. I name these things to show that so far as the passenger guards are concerned I think we can say that the work is not excessive.

132. Did the evidence given by Mr. Harford practically apply to the present time?—Yes. I have had very little time to have the figures and papers which were taken out last Session revised, but so far as I can arrive at it they are practically the same as now.

133. You wish, I believe, to say something about the time of the goods guards?—Yes; upon that question Mr. Harford gave some evidence at Question 2502. The hours he has given are mostly correct; there is one case, however, in which he appears to have been supplied with wrong information, that is the case of the 2.30 train from Goole to Heckmondwike where the hours are considerably less than he quoted. In one case he stated, that on the 18th November the train worked 17 hours, I find the actual time was 12 hours; in another case on the 19th November, he stated that the train worked 15 hours, whereas the actual time was 12 hours and 25 minutes; in another case on the 26th November he stated in evidence that the train worked 12 hours and 15 minutes, whereas the actual time worked was 10 hours and 55 minutes; on the 27th November he stated in his evidence that the train worked 17 hours and 10 minutes and the time actually worked was 11 hours and 55 minutes; on the 28th of November he gives the time occupied as 17 hours and 20 minutes, whereas, the time actually worked was 11 hours and 55 minutes; on the 29th of November he stated that the time was 16 hours and 35 minutes, whereas the actual time was 10 hours and 40 minutes; the 30th was Sunday, it is put down as 17 hours, but as a matter of fact the train was not run on that day. I do not wish to attach undue importance to that, but that is a mistake. Then I would like to say that all the cases given were in the winter of 1890-91 when the weather was of very exceptional severity, a all events in Lancashire and Yorkshire; we had a difficulty in getting through our traffic at all; there were dense fogs, severe frost and snow, and an immense amount of sickness amongst the men, partly arising no doubt from the severe weather, and partly from the influenza which was then prevalent. In addition to that we had thrown upon us an unusual increase of traffic from the closing of the canals by frost.

134. Could you tell the Committee anything which would show that the winter of 1890-91 was very exceptional in that way; could you tell us of any improvement in the winter which we are just finishing?—As regards the winter we are just finishing it has been decidedly better, with the important exception of some very dense fogs about the time of Christmas, and I think they lasted longer than they did the year before, especially in Yorkshire; at the same time it was very much better generally than the preceding winter. With reference to sickness the cases of influenza generally have been very much greater than last year, and they have put us to a great deal of difficulty in finding reliefs for those who are working long hours.

135. Have you any details which would show us with reference to the particular goods trains to which Mr. Harford referred, the actual hours that those trains have been shorter in this winter than they were last?—No, I have not taken that out; I have scarcely had time to do so. But might

Chairman—continued.

might I refer to a statement that Mr. Harford made which I had intended to refer to later, but which I might deal with at this point. He submitted a letter that he had received from a goods guard, I think he said; at all events from one of the company's servants in the Wigan district, and he very fairly said he did so because it was written in a spirit of fairness. That letter stated that there had been times when they were overworked, but that that was due to the abnormal state of the traffic, and the weather which caused a block upon the lines. He was there referring specially to the Wigan district, but the same remark applies to every part of the line, though possibly the Wigan district may have been rather worse than others. I should like to say that it was a time of exceptional difficulty, and that some of the men worked exceptionally long hours; but at the same time I desire emphatically to acknowledge the very loyal and excellent manner in which they did their work; they worked long hours, but I did not at the time hear any complaint of the long hours they did work.

136. Have you been able to prolong your sidings, or increase them so as to diminish the delays involved at them since Mr. Harford gave evidence before this Committee?—I should say not, since Mr. Harford gave evidence, but we have done this; it has been going on in the interval. I have had taken out, with very great trouble and very great care, detailed statements showing every place where such detentions have occurred, and we are going into each of those cases *seriatem*, getting plans out, with the view of seeing what accommodation is necessary for the better working of the traffic, and we intend to do our utmost to prevent those blocks, which undoubtedly do occur upon our line, to a very considerable extent. I might say that, although we have not done much in the way of sidings, it is pretty notorious among people connected with railways, that during the last 10 or 12 years we have been spending enormous sums upon our railway with the view of improving the accommodation. In the course of the last 10 years, I think I should be right in saying that we have spent 12 millions of money, and that on a short line of only 500 miles, and without making many new lines; there have been relief lines made, but not lines taking us to any new place.

137. Do you wish to say anything with reference to Mr. Harford's evidence as to what are called trip trains?—Yes. Mr. Harford referred at Question 2500 to three trains, naming them specially, I think, "the 12.5 a.m. Burnley to Patricroft; the 7.30 p.m. Burnley to Miles Platting (which on its return journey runs from Salford to Colne); and the 2.30 a.m. Goole to Heckmondwike." I have had taken out the working of the whole of those trains during 1890. This was taken out during last Session, which accounts for its being 1890. The result shows that, as regards the first-mentioned train, the trip basis (that is the time upon which the payment to the men is calculated) is 11 hours and 59 minutes, and that the running for the whole 12 months works out to exactly that figure. In the case of the 7.30 p.m. Burnley to Miles Platting, the trip basis was

Chairman—continued.

12 hours 37 minutes, and the average time worked was 12 hours 27 minutes, or 10 minutes less than the time paid for; and as regards the third case, the 2.30 a.m. Goole to Heckmondwike, the trip basis was 11 hours 39 minutes, and the average time actually worked 11 hours 16 minutes, or 23 minutes less than the time paid for. Mr. Harford further stated in connection with the trip system that no overtime was ever paid; he seems to have got into an error or been misinformed upon that subject. Our practice is, that where exceptional delays occur from causes beyond the control of the men working the trains, any applications for extra pay are considered, and in a very large number of cases extra payments are made; very much the greater number of the applications are complied with. In the case of two of those trains which Mr. Harford specially named, such additional payment has been made.

138. If those trains, as you have told us, did not work longer hours than the booked time, how was it that overtime was paid for with regard to them?—For this reason, that the time I gave you was the average time, and in order to get the average some would be more and some less; it is in the cases where the time has been more that there has been additional payment. Where the time has been less the men have got the benefit of being paid for longer hours than they worked. Then, while on the trip system, perhaps it might be convenient that I should refer to the evidence of Beswick, who is a fireman and extra driver. In answer to Question 4521, Beswick, referring to the trip system, used rather a strong expression; he described it as a "piece of robbery," stating that there was no overtime as regards trip trains, the number of hours fixed for the trip being all that the men are paid for. I cannot understand how Beswick came to make such a statement; first of all, it is not correct, and in the second place I venture to think he must have known it was not correct, because on two occasions, in January 1891 and one in February 1891, which were prior to the time he was giving his evidence, he himself made written applications for extra pay beyond the trip basis, which applications were granted. I have his letters here making the applications.

Mr. *Howorth.*

139. They were granted?—They were granted in two or three cases; and I think there was one case in which it was not granted. I will take the case of guard Foulds; he admitted that the goods guards' grievances had been remedied by the reduction of the working hours, and alteration of payment for the trip system; also that the trip men were paid extra money for exceptional delays when applications were made; he also stated as regards the trip system that whilst the goods guards' grievance were met, the locomotive men were still dissatisfied, and that if they worked more than the trip basis they only got the average payment, whereas if they worked less they were paid for actual time only. In that part of his evidence he was wrong; that is not our custom as regards the locomotive men; if they do their work in less than the time they get the full trip payment; if they take more time, and make

Mr. *Howorth*—continued.

make application, and can show that the delays are from causes beyond their own control those applications are taken into consideration, and if it is found that there are sufficient reasons, overpayment is made. Then I might state also that in very exceptionally bad weather the trip system is suspended, and the men are paid actual time; during the severe fogs of Christmas last, of which I spoke to you just now, that was what was done.

Chairman.

140. What happens when the working of the trip trains is altered as on holidays?—If the working is altered, of course the trip system of payment is suspended.

141 What you have said applies to holidays as well as to bad weather?—Yes, if it interferes with the working of the trains; of course each case is treated on its own merits.

142. Is not the trip system rather peculiar to the Lancashire and Yorkshire Railway?—No; we have about one-third of our trains worked on the trip system, which is a smaller proportion than on the London and North Western Railway, and I think a smaller proportion than that on many other systems. Before leaving that subject I should like to state the result of it in 1890.

143. When did you begin the trip system?—It was commenced in May 1886; it is a species of piece-work, the intention being to prevent long hours, and to give the men an inducement to get through their work with the least possible delay. The time was taken out that the men had been engaged upon the working of particular trains, and from that time what was considered, and is still considered, a fair average was taken, and that was fixed as the trip basis on which the men are paid. I find that for the year 1890, adding together the time of all the trip trains; that is to say, adding together the trip basis it comes to a daily average of 2,637 hours and 35 minutes.

144. You are speaking of goods guards, are you not?—Yes, of goods guards entirely. I believe that as regards the drivers, who are also on the trip system, it comes out a little better for them. The actual time worked per day was 2,630 hours 42 minutes, not very much variation, but a little variation in favour of the men; in addition to which they receive extra payment in those cases in which they could show there was exceptional delay for which they were not responsible.

Mr. *Heneage.*

145. What is the average per day of these large figures?—I have not worked it out, but it could be soon done; there are 2,637 hours which divided by 300 would be a little over eight hours a day, approaching nine hours a day; you may call it nine hours; it would be sufficiently near for all practical purposes; that is the total time paid for under the trip system without extra allowance; the actual time worked by those trains being 2,630 hours.

146. What do you mean by "without extra allowance;" if they were only working nine hours you would not pay them overtime?—The same answer must be given to you as I gave to the right honourable Chairman a few minutes ago; the 2,630 is an average; to arrive at the average some trains would be working beyond trip time, while others would be below it.

Mr. *Heneage*—continued.

147. Do you think Mr. Beswick was correct in stating that there is no overtime on the trip train, but that they merely get the number of hours allowed for the trip?—No, I have already stated that that is entirely incorrect.

148. You have given the Committee the goods guards for 1890; what special allowances did you give that year?—They were paid for 2,651 hours 19 minutes, as compared with the actual working of 2,630 hours 42 minutes.

Chairman.

149. Have you anything further to say as to the trip system?—No, I think not.

150. Then will you proceed with your general statement?—That will take me to the evidence of guard Foulds at Question 3814. In that case I must admit, as in the case of Mr. Harford's evidence, that most of his evidence was correct; he was, however, wrong as to his own hours of duty during the first five days of July 1890, when he said that the time he had worked amounted to 80 hours 25 minutes. I have the road notes in his writing which make it 57 hours and 15 minutes.

151. Will you give the particulars?—1st July, 11 hours 30 minutes; 2nd, 12 hours; 3rd, 11 hours 35 minutes; 4th, 11 hours 40 minutes; and 5th, 10 hours 30 minutes; thus making a total of 57 hours 15 minutes.

152. Can you account for the mistake in any way?—I cannot. I have made special inquiry but I cannot find anything to account for the difference, and the agent in charge of the station where he works says he cannot account for it. I merely regard it as a mistake, not as an intentionally false statement.

153. I think he made a statement that he worked 19 hours?—Yes, he gave one instance of having been on duty 19 hours, and in one case longer hours even than that; in the case of the longer hours he stated it arose from an accident; in the other case it was after a dense fog, the working of the line had been a good deal disorganised causing delay; but I may add that before any complaint was made from him, in fact I think I am right in saying before the last occasion which he worked long hours with the train attention had been directed to it by the usual returns, and an alteration was directed which was subsequently made. I think that is all I have to say about Foulds' evidence.

154. Now I think you wish to say something with reference to Mr. Campion Watson's evidence, do you not?—Mr. Campion Watson was the secretary to the Railway Workers' Union; in answer to Question 3926, he spoke of a passenger guard, working at Wakefield on 5th, 6th, 7th, and 8th May 1890. There is no doubt the man had been on duty each of the first three days about 12½ hours, but out of that time there were intervals off work amounting in all to 6 hours and 50 minutes daily, the longest interval being 3 hours; but then he went on to say, I think, that after working during the day on 7th May he had to go out with a special yeast train at night from

Chairman—continued.

Normanton to Bolton, with which he was on duty for 11 hours and 30 minutes, but during the night he had intervals amounting to 3 hours, besides some time at Bolton, but I am unable to find the record of that. At that time there was only one spare passenger guard at Wakefield. This yeast train came up from the North Eastern and the station-master at Normanton was unable to find any one else to take the train on, so that this guard had to go. I may say that a second man has been put on since then; still no doubt it was a very long period to work. I do not say it is a working which I wish to justify; the station-master did the best he could at the time, but unfortunately it resulted in this man working these very long hours.

155. I think you said he had to go out with a special yeast train?—That is so.

156. If you send special trains ought you not to send special guards?—He was going as special guard; this train came from Hull; it was German yeast; we have frequently special trains of this nature; this traffic comes at special times and it is handed over to us at Normanton, three miles from Wakefield, and this man was a Wakefield man. The North Eastern Railway give up the train at Normanton, and we take it on.

157. But this was not a question of fog or accident; this is a special train which you run for your own advantage, and you fail to provide special assistance for it?—I would beg to say that we do not run it for our own advantage; it is brought to us by the North Eastern Company, and we run it for the advantage of our customers.

158. Your customers pay you for it, I take it?—No doubt our customers pay for it, but if we had failed to run it we should have had very loud and angry complaints, still I do not attempt to justify the long hours in this case at all, but only to say that the station-master thought he was acting for the best.

159. Now we will take the next case, that of a passenger guard at Wakefield who was stated to have been on duty on the 9th March 1891 for 26 hours?—He was a relief man, and on the date in question he worked two special trains of emigrants from Normanton to Liverpool, one about noon and the other at night. All the other guards had been on duty during the day, including the second spare guard, whom I have just referred to, and under these circumstances there was not a man available for the second emigrant special who had had more rest. This is, like the yeast train, a special train which comes at uncertain times; we have large number of emigrants going from Hull to Liverpool brought to us by the North Eastern Railway Company, who give up the charge of the train to us at Normanton. The difficulty is much greater in this case than in the case of the yeast, bringing 300, or 400, or 500 people in the train who have to be taken forward.

160. But I suppose you have a certain more or less regular flow of emigrant traffic of this kind over your line have you not?—We have, but it comes at uncertain and irregular periods, not at regular periods.

161. But do you think it is satisfactorily provided for by making a relief man work 26 hours?—I said as regarded the 23 hours that I do not think it satisfactory, and I say the same thing still more strongly with reference to the 26 hours, I think we have made arrangements so that it will not be likely to occur again; but the exigencies of the traffic are such that unforeseen things do occur, and we might at any time find ourselves in a difficulty.

162. The question is whether you have sufficiently foreseen the difficulty?—Possibly so.

163. Mr. Watson referred to other cases?—There were several other cases he named, but he gave no trains, and no names, and although I have made the best endeavours I have been unable to identify the cases; having failed to ascertain the facts by correspondence I sent somebody down specially into Yorkshire to make inquiries, and to look over the books of the working, but I could not even then identify the cases.

164. There are a series of cases; in answer to Question 3928, there is one case of 28 hours and 30 minutes, another of 21 hours and 30 minutes, another of 26 hours without a break, another of 24, and then another of 23 hours and 10 minutes without a break; all those are alleged to have happened on the 4th of August, the 9th of August, and the 4th March 1891; and as a matter of fact you have been unable to trace any of those?—I have been unable to trace any of those. I have made a careful search not only for the purpose of explanation to this Committee, which is of course necessary, but for my own satisfaction.

165. You are prepared to say that you have been unable to find them?—Yes, after having tried our best.

Mr. *Heneage.*

166. Have you had your attention called to the Appendix put in by Mr. William Beswick; there is a Paper handed in by him on the 12th of May at page 538, in which he gives a list of cases of overwork?—I have it before me now.

Chairman.

167. Will you refer to the hours alleged to have been worked; there are several cases of over 20 hours relating to drivers and firemen; there is a case on the 26th of January of 23 hours, and on the 30th of 23 hours and 5 minutes, and so on. With reference to those hours which appear as Beswick's own hours, stated by him to have be worked by himself during the month of January 1881, of which I have given two instances, do you dispute their correctness?—There are some inaccuracies I think.

Mr. *Channing.*

168. Have you been through these tables?—Yes, I have, but not very completely. I might say that Mr. Aspinall, the company's chief mechanical engineer, who has charge of the locomotive working, is in attendance, and he can give evidence with reference to the locomotive working much better than I can if the Committee desire to ask him about these questions.

Chairman.

169. Then will you continue your statement with reference to Mr. Campion Watson's evidence?—There is only one case remaining to be dealt with,

Chairman—continued.

with, namely, that of the foreman porter at Hipperholme, who was stated to have worked from the morning of Thursday, 31st July 1890 until three or four on the following Sunday morning; those hours are very bad; I do not at all wish to justify them. As soon as they came under my notice (I did not occupy the position of general manager of the company at the time they were worked), but when I saw the evidence as to them last year I gave instructions that such hours should not be worked again; that they were very much too long. The only thing I would say about this case is that the man could have had on the 31st instead of 5½ hours rest, 10 hours rest, as he was told at 4.30 on the 31st to go from Hipperholme to Dewsbury Junction and lodge there, to take his train at 5 a.m. from Dewsbury to Southport the next morning, but for the sake of convenience or some other reason he did not go at once, but waited at Hipperholme for some hours; still I do not justify it; the working is bad.

170. But the working from Thursday to Sunday without intermission; is that true or not?—Practically it is true. It is too much I fully admit; but I may be allowed to add that it was just before Bank Holiday, at a time of the year when we are always specially pressed with passenger traffic, and, no doubt, our people in Yorkshire when they were making their arrangements were under special pressure; still I think it should be prevented.

171. What arrangements have you made which should prevent such a thing as that ever happening again?—Some time last year (I think it was before this Committee first met) I arranged a system of relieving guards; that applies more especially to the goods guards. A number of men at certain parts of the line were selected, and it was arranged that they should have a certain amount of training so as to enable them to do goods guards' work, and so be available for giving relief; those men and goods guards generally are also available for the special excursion traffic in the summer and autumn months, and to the extent that they strengthen the goods guards to that extent the passenger guards can also be strengthened. The goods guards do not require the same extent of relief in the summer as they do in the winter.

172. Have your servants ever memorialised you as to excessive hours of work?—I do not think they have specially as to the excessive hours. I see Beswick stated that they did so, but I can trace no such memorial, neither can the locomotive department. We received, it would be, I think, in 1890, the memorial of the Amalgamated Society, which dealt with a number of things, what they called their programme.

173. Did that refer in any way to individual instances?—No, it did not.

174. No complaints were made to you by any of the men whose long hours you have admitted here?—None of them have reached me, and I do not hear that they have reached anyone else; but during last year and the end of the year before I had deputations from a good number of bodies of the company's servants, but while they, in many cases, asked for shorter hours they did not mean in many cases shorter hours of working but simply shorter hours, to be included in the day's pay. There was, on one occasion, something said about limiting the time of goods guards to 12 hours: it happened to be almost in the midst or just after the very severe weather of last year. I asked them as practical men if they could have limited their working to 12 hours in such weather as we had just passed through, and they frankly admitted that it was impossible.

175. Have you anything which you wish to add to your evidence?—No, unless it might be to submit to you some letters which the locomotive department have received; they are not addressed to me. On the 23rd July this letter was addressed to the locomotive foreman at the Darwen Shed. "Lower Darwen Looco. Sir,—It is the desire of our men that the enclosed resolutions should be placed before Mr. Aspinall; and they also desire that you will kindly forward them on our behalf. Yours obediently, *R. Partington.* To Mr. G. B, Moore, Loco. Superintendent, Lower Darwen." The enclosure is dated "Lower Darwen, 23rd July 1891," and is addressed to F. Aspinall, Esq., Chief Mechanical Engineer, Lancashire and Yorkshire Railway, Horwich." "Sir,—A meeting of enginemen and firemen, was held at Blackburn, on Sunday the 19th July, to take into consideration the action of Mr. E. Harford and others who are giving evidence before the Royal Commission on Railway Hours of Labour. The general expressions of the men were: that it should be the duty of our enginemen and firemen to gain and maintain that confidence which has hitherto existed between us, our superior officials, and chief mechanical engineer, Mr. Aspinall." The next paragraph has nothing to do with the question; the following paragraph is: "Resolved,—That we the locomotive enginemen and firemen at Lower Darwen record our severe censure on driver Beswick for his presumptuous conduct before the Royal Commission in giving evidence adverse to our feelings, and interfering in the question of hours and wages without our authority."

176. Who are those signed by?—It says: "A meeting of enginemen and firemen was held at Blackburn." Mr. Aspinall inquired as to this meeting, and I have a letter here from the man in charge of the Darwen Shed, which is near Blackburn, in reply to Mr. Aspinall, as to how many people were present: he says: "I am advised that there were 25 drivers and 25 firemen at the meeting." Then Mr. Wintour, the locomotive foreman at Bolton, forwards a letter dated the 26th of July 1891, from driver D. Higginbottom, addressed to Mr. Aspinall. "Sir,—I trust you will excuse me addressing you on this subject; but as one who had the honour to introduce a deputation to you in 1889, and again in February 1890, when the new working arrangement was sanctioned by you, and an undertaking given by us, as delegates, that further agitation should cease at least for a time, it is to the spirit in which that agitation was conducted I wish to draw your attention. The first resolution passed at our first meeting was moved by me, although a member of the Amalgamated Society of Railway Servants, that our agitation should be conducted as a purely engine-

Chairman—continued.

man's and fireman's case, and that we neither allow the interference of the above society nor any other to come between us and our chief, and I venture to believe that the same spirit largely predominates the service to-day, so far as enginemen and firemen are concerned, and to my mind it is utterly inconsistent in us to allow officials of the above and kindred societies to offer evidence, and to attempt to adjust our differences, before the Commission now sitting, while at this very moment the Lancashire and Yorkshire enginemen and firemen are boycotted and branded as traitors to the above society, because we will not allow their interference. I feel quite certain that if an opportunity was given to the very large majority, an expression of feeling would be forthcoming, which would largely discount the evidence offered, and I feel positive that if an assurance from you was given that the arrangement of 1890 should be strictly adhered to, there would not be wanting those who would only be too glad to put the case before the Commission as it really stands. I think I am in a position of judging the spirit and the temper of Lancashire and Yorkshire enginemen, and I know that there are not signs of resentment wanting now at official interference. No class of men are better able to take care of themselves, nor better able to work out their own salvation. Yours truly, *D. Higginbottom.*"

Mr. *John Wilson.*

177. How many were there at that meeting?—I do not know.

178. Does it refer to a meeting at all?—I do not know; I think it is an individual letter.

Chairman.

179. What was the arrangement of 1890 which is there referred to?—It was an arrangement with the drivers as to their pay and hours of duty.

180. To what effect?—It modified the previous arrangements; I am not quite sure whether I have the particulars here; but Mr. Aspinall will be able to give you them in detail.

Mr. *John Wilson.*

181. Has the agreement been carried out?—As far as I know; but perhaps you had better ask Mr. Aspinall that question. Then the third letter is dated the 7th September, and it is from the Bolton locomotive department, and is addressed to Mr. Wintour, the locomotive foreman in charge of the shed: "Dear Sir,—At a special meeting of enginemen and firemen to consider the letter Higginbcttom sent to Mr. Aspinall through you, the above letter being highly approved of, it was agreed to send the enclosed reply, kindly forward the same and oblige, yours truly, *W. J. Robinson,* chairman." Then this is the letter: "61, Trafford-street, Farnworth, September 7th, 1891, J. F. Aspinall, Esq., Dear Sir,—At a special meeting on Sunday last, 6th September, at which at least 90 per cent. of the registered enginemen and firemen were present, it was unanimously carried that the letter sent by driver Higginbottom to you be approved of. It also recognises that a strict line of 10 hours cannot be worked (with the moving population which we have

Mr. *John Wilson*—continued.

but expresses a hope that the train hours for enginemen and firemen be so arranged that each man makes not less than 10 hours, or more than 11 or 12 hours, or at least that 12 hours be the limit, and that each man gets home at the end of each day's work. This was carried unanimously without a dissent. Yours truly, *W. J. Robinson,* chairman. I may further add that the men were prepared to go even more than 12 hours in cases of emergency or sudden fogs, or snowstorms arising, as they know a strict line of hours cannot be worked."

Chairman.

182. There is nothing about special trains?—Nothing at all; as I say, I just give you the letters as I received them. I know nothing more of them than they say for themselves.

Mr. *Heneage.*

183. With reference to the trip system, are we to understand that you do not give anything for over 12 hours a day on a trip?—No; that is not so.

184. Then what do you give?—The trip basis is fixed for every particular train; whatever that may be is paid with the addition, as I have before explained, that if from causes beyond the control of the men, such as accident or fog, there is exceptional delay, any application from them is looked into and a certain number of hours extra are paid.

185. What I want to know is, what is this basis?—I explained, I think, that before the trip system was commenced the actual time worked by the trains was taken out for a year, and was put down for each train, so much time to be paid for; the result being, as I believe it has been proved to be, fairly representative of the time required for the work.

186. Cannot you tell the Committee, in so many words, what is the amount of time that you expect every man to work on a trip before you give him any overtime at all?—It varies; every particular trip has its own time; there is no fixed time for all, but each train on the trip system has a certain time assigned to it which is paid for.

187. Then you fix the time as you choose?—No; it was fixed originally, as I have explained, according to the time actually taken by the trains.

188. Mr. Beswick, in his evidence, is asked why he objects to the trip system, and whether it is because he gets no overtime, and he says, "Yes, there is no overtime on a trip train; you get merely the number of hours allowed for the trip"?—Mr. Beswick said that which was incorrect. Foulds, the guard, stated at Question 3788 that extra time is paid.

189. Can you account at all for the difference between the time you give, with reference to Fould's hours, and that which he gives in answer to Question 3814, where he states that on the first five days of July his time worked was over 80 hours?—I cannot.

190. I believe you stated that you only make it 57 hours; can you give any reason for the difference between you?—I cannot unless he made a mistake; he gave a great deal of evidence,

and

Mr. *Heneage*—continued.

and it is quite possible that with every desire to be accurate he may have made a mistake.

191. He states that on the first five days of July he worked 80 hours?—That is so.

192. And you say it was 57 hours?—Fifty-seven hours and 15 minutes.

Mr. *Channing.*

193. Would you state whether on the hours referred to, in answer to Question 3814, there was any extra pay given, as you say it was given some times, for extra work?—The answer to Question 3814 refers to the 80 hours which he says he did work, and we say he did not; we say he only worked 57 hours and 15 minutes, and upon that he would not be entitled to exceptional pay.

Mr. *Heneage.*

194. With regard to this extra rate of pay, is it not based upon the fact that the men are willing to work extra if they can only get home at night?—That I cannot say; I believe there is a good deal of desire on the part of the men to get home at night.

195. Is it not the fact that the men would be willing to work longer if they could get home at night, and that they would object if they could not?—I believe that is the feeling of many of the men.

196. Is that the ground upon which they have not made objection to overtime in many cases because it would frequently enable them to return to their own homes?—I do not deny that that may have had something to do with it, but I do not think it has been the main reason.

197. You have no doubt, as the general manager, that that is one of the reasons that may actuate them?—It has never been represented to me by the men as the reason.

Mr. *Channing.*

198. You challenge, I think, the evidence given by Mr. Harford on the trip system?—I challenge the evidence given upon one particular case, which I believe did happen to be a trip train; but may I say that I did not want to make more of it than it deserved; I only said that I thought Mr. Harford had got a little wrong with reference to that particular train.

199. With reference to any of those excessive times where the usual trip time was far exceeded, have you any particulars as to whether any additional pay was given in any of the cases?—Yes, I think I so stated; that in two out of the three trains to which he specially referred some additional payment was made some little time prior to the evidence that he gave.

200. Have you any particulars which you could give the Committee as to the number of cases in which that rate has been paid and what rate has been paid?—Each case has been considered upon its merits, and the rate paid was for the time the train was delayed beyond the trip time, where it was thought it was detained by causes beyond the men's own control.

201. Does the rate which you pay bear some proportion to the number of hours by which the trip time is exceeded?—Yes, the guards are rated at a certain rate of pay; therefore the calculation would be upon the time that was allowed beyond the fixed time.

202. What is the basis of the calculation?—The basis of the calculation is this: in the case of goods guards the fixed time is 63 hours a week, and every hour they work beyond the 63 hours is paid for at time and a quarter.

203. Is that how you calculate the additional pay upon the trip system?—Yes.

204. I should like to ask you a more general question; you have said that some of these hours as to which the right honourable Chairman put a question to you are, in your opinion, unjustifiable?—Yes, I should be very sorry to attempt to justify men working 23 or 24 hours at a stretch.

205. But as general manager do not all those instances of excessive hours come before you from time to time, and do not you in the usual course of your business have to consider the arrangement of the trains in which you find a frequent recurrence of these long hours?—I cannot say that I go into the details of them myself; it is impossible for me to do so; but there are proper officials of the company whose duty it is to go into the results generally from time to time, and, as the result shows, that certain trains are working late the working of those trains is revised; but it is not so simple a question as it seems; we are serving a very busy manufacturing and commercial district where the public requirements are very exacting; they bring the goods to us at the latest hour possible, and require them to be delivered at the earliest possible moment; if we make changes which interfere with the delivery of the goods we get into very great trouble. We have to make arrangements with reference to two things, the working of the line as regards the hours of the men and the convenience of the public; we have to balance the two things as fairly as we can; we cannot well take off the trains.

206. Without taking off the trains you might put on more men?—We do; but we have a fluctuating traffic; some days a train will be running very fairly; on other days it may be running very late, and in the latter case men are working long hours, and may have applied for relief; we have not been able to give it always, but latterly we have been able to give it in two out of cases, and I hope to improve upon that.

207. You have no difficulty, I believe, in getting any number of good men upon your line?—We have no difficulty in getting any number of men, but the men require a certain amount of training before they are fit for the duties of goods guards, for instance.

208. In some of those cases some of the long hours occurred after the winter was over?—Those cases nearly all occurred in the bad winter that I spoke of; in one or two of the passenger guards' cases they occurred in the height of the excursion season, which is as trying for the passenger guards as the winter is for the goods guards.

209. But you referred to Mr. Campion Watson's cases in May?—Yes.

210. If you refer to the answer to Question 3942 you will see that he mentions a case of 26

Mr. *Channing*—continued.

hours without a break?—Yes; I think I have already said that I cannot for a moment attempt to justify such long hours, and do not want to do so.

211. You mean to say, as general manager, that when a time-table, such as Mr. Beswick has handed in to the Committee, and to which such very great importance must be attached; such papers are not examined by yourself as general manager and by the directors, but are only left to the locomotive superintendent?—No; I mean to say that every bit of evidence given before this Committee was most carefully examined.

212. But I thought you declined to give an explanation of it before this Committee?—I only thought that somebody could give it more accurately to you than I could do, as from want of acquaintance with the details of the locomotive department I might fall into error.

213. Some of these tables are about the worst instances that occurred, and they have been specially considered by the Board of Trade; have they not been considered by the directors?—They have had these tables before them, but I do not know that they have specially considered the details.

214. Have they not specially considered them with regard to a way of remedying the instances, of which there are about 16 to 20, of hours over 20?—Assuming that there are as many as 20 my remark would be that many of them arose in the same year, when the line was so obstructed in consequence of the weather, that it was almost impossible to get the traffic through. Then multiplying the trips by the number of men they are after all but a very small number in proportion to the amount of work done.

215. Has it been diminished to a certain extent by a system of reliefs?—We have been trying to diminish them, and have been diminishing them, and I hope shall still further diminish them; the diminution commenced the year before and was further increased last year.

216. You are aware that a porter at Shaw Station, named William or Walter Smith, has written a number of letters to the press in Lancashire, complaining of the hours of railway servants, and giving instances of excessive hours of labour worked by them?—Yes.

217. Is it not the case that he has been dismissed from the service of the company?—Yes.

218. What was the cause of his dismissal?—The cause of his dismissal was because he persisted in writing those letters to the newspapers, some of them containing what I think to be erroneous statements, he having been previously warned. I told him myself I had not taken notice of it up to a certain extent, but that I did not think that all his statements were accurate. For instance he declined to deduct anything from the time of working to represent the time the men were off for meals; I thought that was not a fair representation of the state of things; at all events, as we considered, seeing that he was in the company's service, living on the company's wages, it was not right for him, or consistent with discipline, that he should be writing to the press, attacking his employers, and I told him he must either give over or take the consequences. I thought he acquiesced in that view, but he made

Mr. *Channing*—continued.

the remark, that there were one or two letters he had sent in to the newspapers which he could not now recall; he did not say he wished to recall them. I did not say anything beyond what I had told him as being our view of the case. I did not take any notice of those two or three letters which he referred to as being letters he had already sent in to the press.

219. Do you think you have considered those statements sufficiently so as to enable you to say whether they were accurate or not?—I considered them some time ago, and regarded them as being inaccurate in various respects, one being the point I made to you just now, that if a man came on at a certain hour in the morning and left at a certain hour at night, although he had half an hour for his breakfast and an hour for his dinner, Smith declined to deduct that time from his working time; to that extent the statements were not correct.

220. This man sent all his letters to the press, and sent them perfectly openly?—Yes.

221. Had the company any other fault to find with him in the discharge of his duty?—Yes; he was a signalman in the railway service; he was found unfit for that, not from fault, but from his health, and it was not thought desirable that he should remain in the signal-box; he was then put on ticket-collecting, and he could not get on either with those over him, or with his fellow-workmen; he was removed two or three times on account of the squabbles he got into, and on account of the number of difficulties and complaints which he made, which latter did not appear to be borne out by the facts. There was a complaint made about the way he did his work; it was said that instead of assisting in the work he preferred to spend his time in the porters' room reading a book, and so on; then he was removed to Shaw.

Mr. *Howorth.*

222. I think you say that substantially the statements of these men who have given evidence are accurate?—Yes, substantially they are accurate.

223. The first point I would like to refer to is your difficulties in working this particular line; you have a canal which competes with you along a large portion of it, have you not?—We have canal competition from Liverpool in the extreme west to Goole in the extreme east.

224. When you have very severe weather in the winter you have to accommodate the whole of the canal traffic as well as your own; is not that so?—Yes.

225. The canal becoming impassible because of the ice the transfer of its traffic to you causes certain congestion at Rochdale and other stations which are largely served by the canal?—Yes.

226. What provision do you make for the carrying on of the extra traffic in consequence of the freezing of this canal which must happen almost every winter, if not every winter?—We make no special provision; we cannot increase the size of our line at a moment's notice, nor can we increase our rolling stock, and the freezing over of the canal does not occur every winter.

227. Do you employ extra men on that account?

Mr. *Howorth*—continued.

account?—No, we do not employ extra men until we find the necessity arises.

228. Excursion trains are very frequent, are they not, upon the Lancashire and Yorkshire Railway?—Yes.

229. Would it be possible to work them entirely separate from the rest of the traffic, having a special staff to work them?—I do not think it would, because that staff would have nothing to do for the greater part of the year.

230. Would that excursion traffic be from any one place?—No, from various places.

231. If a special train is required from some particular town upon the line, what means would the station-master or man in charge have of so manning that train that it would interfere with the ordinary traffic?—The special passenger trains during the excursion season are arranged some days before, and the arrangements with regard to the men are made by the district superintendent.

232. What arrangements are made with reference to the special trains in view of the great crowds of people coming to see some pageant at Manchester, or Leeds; such as you have at Bell Vue, sometimes?—Those occasions are generally known beforehand, and if it is thought in the judgment of the passenger superintendent, that the ordinary trains are not sufficient to carry the passengers who will present themselves, he arranges for relief trains, or for the strengthening of the existing trains by putting on extra carriages.

233. But how would the station-master at the other end be able to prevent the traffic from being dislocated?—These things do not occur usually without notice before the day upon which the trains are to be run. If it is a state of things which requires extra trains that is known some days before, but if it is a case of an extra rush on a particular day then there is nothing for it but to strengthen the ordinary trains.

234. I presume you have a time-table for your goods trains?—Yes.

235. Did the average you gave the Committee at the beginning of your evidence refer to the time the men ought to work, and not to the average actual time?—No, not necessarily so; in goods trains there are many disturbing influences.

Mr. *Howorth*—continued.

236. Your inference was that the time-tables of themselves are reasonable?—Yes.

237. And that if it were not for those periods of congestion your men would really have worked with very little overtime at all?—Yes, the time-table is constantly undergoing revision, based upon what is found to be the actual result in working; of course the working of passenger trains is a comparatively simple thing. When you are working goods trains, however, there is a very large amount of difference in the conditions, and you cannot expect the same adherence to time as in the case of passenger trains.

238. In your view would you or would you not encourage the "trip" system?—I would encourage it.

239 Is it fairer to the men?—Yes; that was the object with which it was instituted.

Mr. *John Wilson.*

240. I did not quite understand how you obtained the average of nine hours for the trip system; will you explain that?—I think the right honourable Chairman asked how much per train it was, and I just looked at the figures, 2,637 hours and 35 minutes, and I divided them by 300 for the 300 working days in the year.

241. It is an assumed divisor?—Yes.

242. Have you any table that would show the Committee what was the maximum number of hours that some of those trips worked?—Probably for the year 1890 I can give it; probably some of those were among the cases of long hours that you have had named (*on referring*). I cannot give you the actual; I can only give you the average.

243. Have you got the terms of the memorial that was presented, I think you said in 1890, by the Amalgamated Society of Railway Servants?—I have not it with me here, but I think it was on the Proceedings of the Committee very early last Session; I think Mr. Harford put it in.

244. I understood you to say that some subsequent witness would give the Committee some information as to the letters that were written by the engine-men at Bolton and at Blackburn?—Mr. Aspinall may be able to give you some information; I am unable to give you any more than I have done.

Monday, 29th February 1892.

MEMBERS PRESENT:

Sir Michael Hicks Beach.	Mr. Maguire.
Mr. Channing.	Sir Herbert Maxwell.
Mr. Crawford.	Mr. Milvain.
Mr. Flynn.	Mr. Murdoch.
Mr. Alfred Gathorne-Hardy.	Sir Joseph Pease.
Mr. Herbert Gladstone.	Sir Albert Rollit.
Mr. Howorth.	Mr. Somervell.
Mr. MacInnes.	Sir George Trevelyan.
Mr. MacNeill.	Sir Henry Tyler.
Mr. M'Laren.	Mr John Wilson.

SIR MICHAEL HICKS BEACH, BART., IN THE CHAIR.

Mr. JOHN AUDLEY FREDERICK ASPINALL, called in; and Examined.

Chairman.

245. WHAT position do you hold?—I am chief mechanical engineer of the Lancashire and Yorkshire Railway.

246. Mr. Stafford informed us the other day that you would be able to give us more definite information upon some of the questions that were asked him. Let me first ask you whether you are able to show us any facts which would prove an improvement in the hours of goods or other trains upon your railway this winter as compared with those of the previous winter?—Yes, I think I can. The special cases which were stated by driver Beswick in the Appendix relate to the locomotive shed at Agecroft, and taking out the time actually worked by the men at that shed during the same period of this year the average time is only about 12½ hours on duty.

247. I will first ask you, do you admit that the figures given in that table for the month of January 1891 were correct?—They are practically correct, with perhaps an exception, which I would like to direct attention to on page 540, about the middle of the page, on the right hand side. Your attention is drawn to two days, namely, Wednesday the 18th, and Thursday the 19th of February, and the note at the foot says, that the interval between those periods for rest was only three hours and fifty-five minutes; as a matter of fact it was 15 hours and 55 minutes. With that exception I do not think there is anything of any importance to complain of as inaccurate.

248. Will you explain what you mean?—It is through his having put down "a.m.," instead of "p.m." I have driver Buckley's own time sheet here with his own signature, signing on and signing off, which shows that the interval of rest was 15 hours 55 minutes.

249. Will you put it in?—(*The same was delivered in.*)

Chairman—continued.

250. Then on Thursday the 19th, he really worked from 9.30 p.m. to 3.50 a.m. the following morning; is that so?—Yes.

251. But the previous figures on the 18th are correct, are they?—Yes.

252. Is there any other correction you wish to make?—No; I do not think that there is anything of importance; but speaking of those men whose times are given in that particular sheet, the number of hours on duty for 1892 as against 1891 is about 12½ hours on the average.

253. Could you put in a sheet which would give the actual hours for January 1892, as compared with this sheet which is before us?—At the moment I do not think I could, but there would be no difficulty in my preparing such a sheet if the Committee required it; the average has been taken out from all those men at that shed doing the same work, so as to make it perfectly comparative.

254. Now have you taken out the average of this sheet for January 1891?—Yes.

255. What is the average upon that sheet?—16½ hours.

256. So that there is a very material reduction?—Yes, of four hours.

257. Has that been arrived at by reducing the number of days worked?—Yes, to a certain extent, and to a certain extent we have had better weather. As Mr. Stafford told the Committee in his evidence these long hours are largely produced by fogs in January.

258. But I mean have the men been employed for five days in the week instead of six?—We endeavour as far as we possibly can do to give them employment upon six days of the week and to so reduce their hours of duty that they shall not exceed about 12; that is what we try to arrange; but it is quite impossible to arrange that for

Chairman—continued.

for all trains on account of the character of the traffic.

259. How would the number of the working days upon that sheet taken out for 1892 compare with the number of working days given in this sheet for January 1891; taking January, for example, have your engine-drivers and firemen worked the same number of days this January as they did in the corresponding month of last year?—Yes; the total number of working days in 1891 was 107 in the month of January; 109 in the month of February, and in 1892 it was 128 in the month of January, and 122 in the month of February.

260. So this year you have had more days' work but shorter hours in each day; is that so?—Yes, that is so.

261. Mr. Stafford in his evidence referred to a certain arrangement made in 1890 with the engine-drivers and firemen; will you tell us what that was?—Generally speaking it was an arrangement with reference to their hours and their rates of payment. It had been the practice for some years to pay the drivers what they called 10 and 10, which meant that 10 hours was a day's work, and that everything after 10 hours was paid for at the same rate; an hour only produced an hour in wages. The chief alteration that we made in 1890 was to give the men a day of ten and eight; that is to say, every hour worked after 10 hours was paid 25 per cent. extra; in other words, the men got an hour and a quarter for every hour they worked after 10 hours, and that is the arrangement throughout the line to-day, that engine-drivers and firemen are paid 25 per cent. extra for every hour they work after the 10 hours. Nobody is so much interested as we are in reducing the number of hours, because overtime costs us 25 per cent. more than ordinary time.

262. What effect do you find that has had upon the engine-drivers and firemen themselves; has there been any inclination to make overtime?—Well, we have sometimes thought there has been, and we have endeavoured to check that; but, as far as we can possibly do it, we relieve the men if they are likely to be on long hours, and the men have instructions that if by reason of delay they are likely to be on duty for a long period, they are to telegraph to the next locomotive depôt in advance to ask for relief. Now, I can tell the Committee that the number of cases in which the drivers asked for relief during 1890 was about 8,255, and about 78 per cent. of those cases were granted at once; and it was about the same thing in 1891.

263. This arrangement which you have told the Committee of was made in 1890, and has been adhered to ever since?—Yes.

264. Have you had any desire expressed by the men for an alteration of it?—None whatever; the men have expressed themselves as perfectly satisfied, and I have every reason to think that they are so; but there are other details with reference to the wages, and so on, that were settled at the same time.

265. Will you tell the Committee what they were?—They were questions of payment. It was arranged that the firemen should be paid 3 *s.* 6 *d.* a day upon appointment for six months;

Chairman—continued.

3 *s.* 9 *d.* during the next six months; 4 *s.* during the next twelve months, and 4 *s.* 6 *d.* per day after that; and that when a fireman was sent out driving he was to be paid 6 *s.* a day. Drivers when on shunting engines were to be paid 6 *s.* a-day, and ballast-train drivers 6 *s.* also; after running trains for six months they were to be paid 6 *s.* 6 *d.*; and after running trains twelve months 7 *s.*; and express passenger drivers 7 *s.* 6 *d.* per day; those were the main provisions of the arrangement.

266. Mr. Stafford was asked by Mr. Wilson, a Member of the Committee, whether he had any table that would show the Committee what was the maximum number of hours that some of the trains worked; could you tell the Committee anything upon that point?—I am afraid I cannot tell you that, but I can tell you what number of hours the men worked altogether upon the trip trains during the year, and what their payment was for those trip trains in time.

267. Will you give the Committee those figures?—I find that the time made from signing on to signing off by the drivers in 1891 was 542,539 hours; the payment made to them for that time worked was 573,759 hours, the result when worked out being that the men who were working trip trains received an average of 41½ minutes more payment than for the time worked, and the same figures almost exactly apply to the year 1890.

268. That means that while they were paid for the trip overtime when they were employed longer hours than the estimated time they were also paid for the trip in the cases where they did the trip under the estimated time?—Yes.

269. Is that extra pay given under your discretionary power?—No; there are a large number of cases where the drivers applied for extra consideration and extra payment by reason of their having been on duty more than the trip time, and that extra time being caused by delays which they could not control in any way, such as a break down, or some exceptionally bad weather. During 1890 there were 740 applications made by drivers to be paid over and above their trip time, and out of those 740 applications 717 cases were granted; in 1891 there were 1,417 such applications, and out of those 1,407 were granted.

270. Do the number of hours you gave the Committee include the hours that were specially paid for under that system?—They include those hours certainly.

271. Is there any other point which you wish to bring before the Committee?—There is one thing I would like to point out, and that is that our line is such a very crowded one, that the very least derangement affects a large number of trains and involves delays perhaps more in our case than on almost any other railway in England, because with our 500 miles of railway, taking the half year ending last December, we ran about 15,000 train miles per mile of railway opened; and when you come to compare that with other greater railways, the London and North Western Company only ran 10,000 miles per mile of railway opened, the North Eastern 8,800, and the Great Western 7,200.

272. Can

Sir *George Trevelyan.*

272. Can you give the Midland?—Fourteen thousand.

Chairman.

273. You do not run anything like the Metropolitan Railway?—It is a very different thing; there you are going round the circle all day, and have no junctions. In our case there is such a mass of junctions, that in the 500 miles of railway we have 700 signal-boxes; and I may mention that in order to facilitate the traffic and avoid those delays which are so troublesome to us we have not only all the boxes fitted up with block instruments, but we have telephone communication between all our boxes, so that the men can be in verbal communication with each other all along the line, which we find to be a great advantage.

274. Will you put in a table comparing January and February 1892 with the table put in by driver Beswick?—I will do so.

Mr. *Channing.*

275. Are the same men now in your employment whose names are given in that table which we have before us?—Yes; I think they are all there.

276. So that you could give a table to correspond?—Yes, for the same men they are all doing almost exactly the same work.

277. I understand that with the exception of the detail which you challenge as to the interval of rest between the two periods, in Buckley's table you admit the rest of the time as handed in by driver Beswick?—Yes, practically; there may be some small details which are inaccurate, but they are not worth talking about.

278. You are aware of some of the hours he has given in his table, two days for instance catch my eye, especially one of 29 hours and 5 minutes and one of over 30 hours?—Yes.

279. A week of 111 hours and 20 minutes?—Yes.

280. The whole of those you have been over in detail?—Yes, I have been over them all in detail.

281. And you admit their correctness, subject to the reservation you have just made?—Yes.

282. You are aware that that constitutes a table which is far worse than any which has been sent before the Committee, or would be likely to be put before the Committee by any other company?—Naturally, they have selected the worst cases.

283. But you do not believe, do you, that upon other lines there is such a frequent occurrence of days of over 20 hours?—I should be sorry to venture to say what they do on other lines.

284. Do you think that the hours that are given here are justifiable upon any line?—We have been endeavouring to reduce them as much as possible, and had been doing so before that, too; but the fact is that the traffic increases far more rapidly than we have been able to deal with it; it is not a question of additional men at all; it is a question of additional facilities for dealing with the traffic, and I cannot better illustrate that than by taking the year 1889 and comparing it with 1892 for the first fortnight in January, which is our worst month; the increase in our staff since 1889 is about 26 per cent.,

Mr. *Channing*—continued.

whereas the increase in our mileage has only been about 5 per cent., all of whom have been put on with the view of getting the work rapidly done and diminishing the hours of labour.

285. Could you give the Committee the percentage of increase since last year?—I have not got it worked out here, but I can give you the total; the figures in 1889 were 2,476; in 1890, 2,720; and in 1891, 2,962; all those are the July figures. Now I can give you the January figures. In 1889 the numbers were 2,404; in 1890 they were 2,614; in 1891 they were 2,920, and in 1892 they were 3,034.

286. There has been therefore a considerable increase in your staff?—A very large increase.

287. That has partly contributed to the reduction in the average which you have stated is from 16½ to 12½?—Quite so; but that 16½ only applied to particular men whose cases are quoted in the Appendix.

288. Do you take that as the strongest case that can be made against you?—Quite so.

289. And that increased staff has contributed to a reduction of hours in about equal percentage?—Yes.

290. I want to direct your attention to cases in these tables to which you have not alluded, which occur in later months than January and February. Do I understand you to make the same admission with reference to the figures given in these tables, beginning with March, April, and in some cases May?—Yes, we admit the figures.

291. Those show I am not taking the precise average, but they show a fairly high average, do they not; you see 13 hours 30 minutes, 14 hours 20 minutes, 14 hours 45 minutes, and 15 hours?—They are all included in the general reduction I spoke of at Agecroft.

292. Can you give the Committee for those months alone what the reduction would be; that is to say when the weather was not so much interfering with you I mean?—I cannot tell you that.

293. Take for instance any train working upon the Ardwick Branch; is that still working 13 hours and 30 minutes in the same way?—I am afraid I cannot answer that question; we have such a mass of trains running that I cannot pretend to remember them in detail.

294. Still it is in your department?—No, it is not in my department. He is a conductor.

295. Has there been any addition to the trains as well as to the staff?—All the trains as Mr. Stafford stated have been carefully gone through.

296. Have you added to the number of engines in order to give further accommodation?—Yes, we are always adding to the number of engines.

297. Now with reference to a question which was put to Mr. Stafford on the last occasion in regard to certain statements made by Mr. Harford, in answer to Question 2308, he there gives instances of the long hours upon the Wigan section of your railway. Mr. Stafford could throw no light upon them; I want to ask you whether you have any information about them?—That is a question about the guards working, I know nothing about it.

298. Then

Mr. *Channing*—continued.

298. Then to clear up a little more the point you have just made to the Right honourable Chairman; the hours which you gave, as made by the drivers, namely, the 542,000 are, I presume, from the time of signing on to signing off, and include hours in excess of the booked time of those trip trains?—The 542,500 is the time of the men from signing on to signing off.

299. Including, therefore, the hours in excess of the booked time?—Yes, including every hour. You will understand that when I am talking of signing on and signing off, it means that the driver goes to the shed some little time before his train time in order to look round his engine and see that everything is right, and again he is allowed a certain amount of time after getting back to his shed.

300. All of which is included?—Yes, it is all included.

301. Then on what basis do you arrive at the statement that 573,000 hours were paid for?—Those are the trip trains. The men are allowed a certain time within which to work those trains; if they get the work done in less time it is to their advantage; and taking the whole of the trip trains right away through the men have individually gained 41¼ minutes per trip.

302. But if they have worked more hours than the booked time and the payment to them is based upon the booked time, I do not see how you make out your calculation?—I do not think I can put it more clearly than by saying that the actual time they have been on duty from signing on to signing off is 542,500 hours, whereas we have paid them for 573,700 hours, giving round figures in both cases.

303. Could you answer this question; at what rate per hour are those 573,000 hours paid?—We do not pay them at a rate per hour; the 7 *s.* man gets paid at the rate of 7 *s.* per day and the 6 *s.* man at the rate of 6 *s.* per day.

Mr. *MacInnes.*

304. Referring to your relief depôts have you any regulations compelling a man when he has worked up to the maximum hours to apply for relief?—His instructions are to apply for relief.

305. If he does not apply for relief what do you do?—Then we find fault with him.

306. Have you any system of fines applicable in such a case?—We have not fined or suspended men for not applying for relief, but they have been found fault with.

307. Have you many instances of men who might have applied for relief not applying for relief?—I think we have had cases, although I do not recollect anything at the moment that I could speak of, but we have a regular system of relieving our men all over the line.

308. I think you said that 78 per cent. of the applications for relief were granted; with regard to the other 22 per cent. why were they not granted?—Because they came no doubt in times of exceptionally bad weather, and when the men who had been told off for the purpose of relieving trains had been taken up by previous trains.

Mr. *Crawford.*

309. I think you said you were trying as far as possible to bring the average down to 12 hours a day and to give the men work every day at that rate?—Yes.

310. Was that with reference to the engine-drivers and firemen particularly?—Yes.

311. I suppose that is exclusive of any time for meals; they have 12 hours actually at work?—Yes, 12 hours actually at work.

312. When you tell the Committee that that is the time you are aiming at do not you consider 12 hours too long?—No, I do not think so for engine-drivers and firemen; and I do not think they consider it too long themselves. You must understand that there will be a great many cases in which it would be quite impossible to bring the time paid for down to 12 hours, because with passenger trains especially there are long intervals in the middle of the day during which the men with their engines are standing still doing nothing.

313. But they are paid all the same?—Yes, they are paid all the same.

314. Then, I suppose, there are a good many cases in which, practically, a man is often at work the greater part of the day; I want to know your opinion about that; is it your opinion that 12 hours a day for six days in the winter for engine-drivers and firemen is not excessive?—I do not think it is. I would like to add this with reference to payment; that the men who have been relieved and who are sent home by passenger train, after being relieved from duty, are paid during the time they are travelling home.

Sir *Albert Rollit.*

315. Have you any regulations with the view of affording relief in cases of recurrent pressure; I do not mean arising from mere weather, but at such times as Christmas, and so on?—At our different locomotive depôts we keep a number of men for special trains.

316. Let me take such a case as parcels delivery?—I should not know anything about that.

317. You do not know anything about the regulations in that case?—I do not know anything about that.

318. When a man is on duty, as you say, for 12 hours, and is off duty for a time, is he subject to duty at any moment?—He is subject to duty at any moment.

319. But would he be able to take rest then?—At a great many places, yes, because at the place where he is standing we have enginemen's rooms, where an engine-driver can get his meals.

320. Can he leave his engine?—He can leave his engine at places where there is somebody to take charge of it.

321. But could he as a general rule leave his engine?—I should say that in about 70 per cent. of the cases he could leave his engine.

322. What is your system of relieving those temporary cases; where are the men to take charge that you speak of, and what are the regulations which define their duties?—At a locomotive station like Liverpool, for instance, which will illustrate the point, a number of engines would always be found standing ready to take out their return trains, the engine-drivers and firemen after having done what was necessary to their engines would go into the enginemen's

Sir *Albert Rollit*—continued.

room and the engine would be taken charge of by the turner, a man who is there for the purpose of assisting in the turning of the engines, and who generally overlooks the drivers while they are at that station.

323. Would it be the duty and the obligation of the turner so to take charge?—Yes, certainly.

324. At the request of the engine-driver?—Yes.

325. You have mentioned the station at Liverpool, could you give the Committee any other instance to which, in your judgment, the same remark would apply?—I do not want to lead the Committee to a false impression about this point. I may say that, as a rule, the driver is supposed to be responsible for his engine during all the time it is in steam, but in order to avoid his having to stand upon his engine the whole of the time, it is at a locomotive shed like Liverpool or Manchester we make the arrangement I spoke of, but still the driver is responsible for seeing that his boiler is filled with water, and so on.

326. Would you give me the regulations which define the duty of engine-drivers in this respect?—We have no such regulation.

327. Could you refer me to anything which would create the obligation which you say exists upon the part of the turner to take charge of such an engine?—There is no such regulation, but it is a well-understood practice.

328. Are there any regulations, or not, to that effect?—There are no printed regulations.

Mr. *Murdoch.*

329. In your evidence you stated that a considerable additional number of men have been engaged in the last two years; now it takes, of course, some time to train these men; therefore, you do not feel the benefit of the additional men's services for some little time; is not that so?—No, I do not think you would be right in inferring that. You see a driver becomes a driver from having been a fireman, and a fireman becomes a fireman from having been a cleaner; it means that they have all stepped up the ladder.

330. Then do you think that you overtake the increased traffic very quickly by the increase in the number of the men?—I think we have done so.

331. I should like to ask you, with reference to the difference in the figures between the hours booked as on and off and the hours that are paid for; is not that caused by your plan of paying the extra time at the rate of an hour and a quarter?—It is partly caused by that, and partly caused by the fact of the men doing the trip in less than the trip time.

332. I will ask you whether one of the principal causes of delays on the line does not arise from the fact of your not being aware of what amount of traffic the traders will put on to the line at any moment?—No; I do not think I can say that exactly. Some of it is, no doubt, but the principal cause is that the line is so thronged with traffic, and that it takes a long time to get additional siding and shunting accommodation made; in many cases it requires Parliamentary sanction to begin with, and then it takes a long time to get the engineering work completed.

Mr. *Murdoch*—continued.

333. That you are trying to overcome by means of additional powers?—Yes, over almost all our line.

Sir *Joseph Pease.*

334. You gave the Committee the number of men who have been added to what you termed your staff; could you tell us the departments in which those men have been engaged?—Those are all outdoor men connected with the running of trains.

335. Including goods trains?—Yes, it includes engine-drivers, firemen, and cleaners only, omitting all the odd men who are employed at locomotive sheds such as fitters and gland packers, and men of that class who are not engaged or called upon to run trains.

336. How many do you say you have added since the year 1889?—26 per cent.

337. Have your other departments been added to in similar proportion, goods guards and passenger guards?—I know nothing about the guards.

Mr. *Howorth.*

338 I want you to explain one or two answers that Mr. Beswick gave; one of his chief complaints was that your time-table was so arranged that it was impossible for a man to run any train within the time, and therefore there were always excessive hours made in consequence of that; have you revised your time-table at all recently?—As I have before stated, the difference between what we were doing then and what we are doing now is so considerable as to make a difference as between 12½ hours per man and 16½ hours; that has been made largely by splitting up the trains and making other alterations of that class.

339. Have you altered your time-table?—We have altered our time-table to a certain extent; it has been also brought about to some extent by relieving the men, so that there are two men working a train instead of one.

340. We also complained that in the case of trips the normal time that a trip ought to take is put at an excessive figure?—The trip trains were originally arranged upon a twelve months' average; the actual time that it was found in practice that a train took to run from point A. to point B. during the whole period of 12 months was taken as representing the time in which it might be done. The driver was then told: We will allow you that amount of time for running this train from A. to B., and if by reason of your own exertion you can succeed in getting it done in less time you can pocket the difference.

341. Was that based upon the general calculation of a 12 hours' day; of course if a trip takes six hours the men would put two such trips into a 12 hours' day; if the man were to take it upon the trip system you would base it upon the number of hours that that man would be at work, taking the average?—It was based upon the number of hours that this man was at work with that particular train. If that particular man during the whole year took 10 hours on the average he was then given 10 hours as the basis upon which to work that particular train for the future.

Mr. JAMES HUMPHREYS, called in; and Examined.

Chairman.

342. You were a porter at Ellesmere Station in November 1887?—Yes.

343. Do you remember the accident that happened upon the 6th November of that year?—Yes.

344. Will you make what statement you have to make, confining yourself to what happened at the time of the accident?—The affidavit I made and sent to the Chairman of this Committee, with reference to the accident at Ellesmere in November 1887, is true and correct in every particular. The real cause of the accident was that the lever had in it a flaw, and the sleepers were also rotten, but the reason the Inspector of the Board of Trade did not mention those things was that they were removed by the company before the Board of Trade Inspector came down; they also had the faulty lever removed, and a new one put in, before the inspector came down. Mr. Conacher stated, in answer to Question 6963, that all the materials were there for the Inspector to see, but that statement is false. I saw them loaded up, and saw the waggons with the rotten sleepers taken away to Oswestry and new ones put in before the Inspector came down. Besides, being on duty 44 hours——

345. The Committee want to know exactly what hours you were on duty?—Do you mean at the time of the accident?

346. Yes; when did you go on duty?—I went on duty on Friday morning.

347. The 4th of November?—Yes.

348. At what hour?—Seven o'clock.

349. Half-past seven you mean, do you not?—We were not particular to half-an-hour in going on duty; not at Ellesmere.

350. Then how long did you remain on duty?—Till the Sunday night after the accident.

351. At what time on Sunday night?—I finished on Sunday night.

352. At what hour?—I could not say; it would be six or seven hours, perhaps, after the break-down gang had been at work.

353. That was after the accident?—Yes.

Mr. *Flynn.*

354. At what time was the accident?—2.50 on Sunday morning.

Chairman.

355. The statement that we have received was that you were on duty from the morning of Friday the 4th until five o'clock upon the morning of Sunday, forty-four hours in all; is that correct?—Yes, that is correct; it was forty-four hours up to the time that the accident happened.

356. Who was with you in the box during that time?—There is no box at Ellesmere.

357. No signal-box?—No.

358. Who was with you in the room where you remained?—There was a passenger booking to go by that train to Frankton.

359. I am speaking of the Friday night?—There was no one on the Friday night, so far as I remember.

360. No one at all?—I cannot say for certain as to whether the booking clerk stayed or not with me that night. I cannot say that for certain.

Chairman—continued.

361. You do not remember that?—I do not remember.

362. You tell the Committee that you are positive you were on duty that Friday night?—Yes.

363. Why did you tell the Inspector, Colonel Rich, that you came on duty on the Saturday morning?—I was told by the station-master to say so.

364. So you told a lie?—Yes; I told a lie over that to Colonel Rich.

The Committee-room was cleared.

After a short time the witness was re-admitted.

Sir *George Trevelyan.*

365. You say you were on duty all Friday night?—Yes.

366. Will you tell me the exact circumstances under which you were on duty on the Friday night?—I went on duty then because there was nobody else, the night man had gone away.

367. Was Robinson there?—It was Roberts, the night man, who should have been there.

368. Was he there or not?—He was not there on Friday night.

Mr. *Channing.*

369. Roberts was the night man and Robinson was the booking clerk?—Yes.

Sir *George Trevelyan.*

370. Was Robinson there on the Friday night?—I could not say whether he was or not; it would be early in the morning if he did come; he lives at Oswestry and would have to catch the three o'clock train.

371. Are you aware whether or not he was paid for that night's work?—I cannot say.

Mr. *Channing.*

372. Did you see the time-sheet for that night?—The time-sheets were made out fortnightly.

373. But did you ever sign the time-sheet which covered the Friday night?—Yes; I must have signed it. I should have to sign it for my money.

374. But did you sign it?—I presume so; I cannot say whether I did or not, but it is the rule to sign for it.

375. You came on duty on the Friday evening, and you were on duty up to what hour, continuous duty, up to Sunday?—I was working Friday, Friday evening, Saturday, and Saturday night.

376. Did a guard of the name of Stokes come on duty?—No; he did not.

377. At what time did he come on duty at your station?—He has been on duty at the station while I have been there, but he was not there that night.

378. What

Mr. *Channing*—continued.

378. What would be the nearest night to this night when he was on duty at Ellesmere Station?—I cannot say; he has been there off and on, but he was not there on this night.

Mr. *Crawford.*

379. You say there was a nightman called Roberts?—Yes.

380. What is the duty of the nightman?—To look after the station and to attend to the trains and signals, and clean the offices up.

381. And was he in the employment of the company at that station at that time?—Yes; he was in the employment of the company.

382. Why was not he there?—He was elsewhere in their employment.

383. He was not confined to the one station?—That should have been his post, but the company was so short of men that they used to telegraph down for them, and just fetched them when they wanted them.

384. Do you remember where he was that night?—I cannot say for certain where he was.

385. Let us understand about Robinson, the booking clerk; what time would his duty cease at night in the ordinary case?—Seven o'clock.

386. Did he ever remain on all night?—Yes; he has been on duty all night.

387. For what purpose?—Acting as nightman.

388. When the nightman was away?—Yes.

389. What do you say about him on the Friday and on the Saturday night; was he along with you on Friday night?—On Saturday morning, I think, he came to catch the mail train to go to Oswestry, to his home; that would be the three o'clock on Saturday morning; to catch the mail train at three o'clock to Oswestry.

390. Why should he go to Oswestry, when he was on duty at Ellesmere?—He lived at Oswestry; his home was at Oswestry; he used to go and come back every day; the company allowed him a pass.

391. Where did he come from?—He would be somewhere in the town of Ellesmere; and he would come down to the station to catch the three o'clock train in the morning; but he was not at the station.

392. He was not at the station either Friday night or Saturday night; you are quite certain of that?—Yes, I am quite certain of that.

393. Were you paid for the 44 hours which you say you worked?—I cannot say whether I was paid for 44 hours or not; if we work a night they count it as a day; we do not get paid by the hour.

394. Do you mean that if you worked all night you did not get anything extra for it?—Yes; they counted it as a day's pay.

395. You came on duty on Friday morning?—Yes.

396. Were you paid for it as one day, Friday night two days, Saturday three days, and Saturday night four days? Were you paid for four days?—I cannot say for certain whether I was paid for the whole time or not, or whether there was one night entered in another man's name, and the money refunded over to me. I could not say whether it was that way.

Mr. *Crawford*—continued.

397. What other man's name was it entered in?—It might be entered in the name of Robinson or Roberts; I cannot say. It was done that way sometimes, because if you worked on the Cambrian Railway and put in a couple of days and nights together, they would not pay you for it.

398. Did you work it in that way?—I cannot say whether it was done in this case, but it has been done.

399. But could not you say whether it was done this night?—It is a long time to remember.

400. When you say that such things have been done, were they often done?—I will not say often, but I have known them to be done.

401. But you cannot say whether it was done this time or not?—I cannot say for certain.

402. When did the station-master ask you to tell a lie about this matter?—The day before the Inspector came down, when this inquiry was held.

403. What did he say to you, as nearly as you can remember?—He said, "Humphreys, there is an inquiry going on to-day; you must not make the hours too long and excessive; say you came on at eight," he said.

404. And you said so?—Yes, I said so; I did not know I was going to get dismissed then.

Mr. *Flynn.*

405. Were the company aware of this practice which you say existed as to the arrangements between Roberts and Robinson and yourself with reference to the division of the day and night pay?—I cannot say whether they were or not.

406. Did you continue for any length of time that arrangement?—I have worked several times 36 hours at a stretch, scores of times.

407. And got paid for it yourself?—Yes.

408. But did that arrangement happen more than once upon which you worked a day and a night, and somebody else was paid for it?—Yes, that happened two or three times; I can remember it.

409. Would the company have no opportunity of becoming aware of an arrangement of that kind?—I cannot say whether they would or not.

410. Would the probable cause of your dismissal be that the company became aware of something of that kind?—I cannot say.

Sir *Albert Rollit.*

411. You admit you made this mis-statement at the request of the station-master?—I did not make a mis-statement.

412. As to the time you came on duty?—He told me to say I came on at eight.

413. Where did he say that?—At the station-room where the inquiry was held.

414. Were you put on oath?—No.

415. Were you ever put on oath when you made that statement?—Never.

416. Did you state it on oath at the inquiry?—I did not state it on oath at the inquiry.

Mr. EDWARD KINGSTONE, re-called; and further Examined:

Chairman.

417. WE want to know what has happened with reference to yourself since you gave evidence before this Committee; you are a driver on the Cambrian Railways, I believe?—Yes.

418. And you have been in the service of the Company 17 years?—Something like that.

419. You appeared as a witness before this Committee last year?—Yes.

420. And the evidence which you gave the Committee then was true?—Yes.

421. Have you had anything to complain of on the part of the company since you gave your evidence here?—Yes, punishment and reduction.

422. Were you shunting at Whitchurch some few weeks after you gave evidence here?—Yes.

423. And you got an engine off the rails?—Yes.

424. Was there any train attached to the engine?—No.

425. Was anyone hurt?—No.

426. Or any damage done?—No, not a pennyworth, neither to the London and North Western Company nor to the Cambrian Company's own engine.

427. Would you tell the Committee how the accident occurred?—I will; there is an island platform and a loop-line, and a platform-line to come round this island platform, and a single pair of catch-points at the end; what they call trap-points. The signalman told me "Right round the loop." My attention being attracted to the other side by the coaches, I took it for granted that that was correct, as they are not supposed to pull the disc off without we are going on to the main line. Of course I went up to those points, and the engine dropped in, and off the road she went, and that delayed the train one hour and 45 minutes.

428. Have you known similar accidents to occur upon the Cambrian Railway?—Yes, I have been kept for five hours at a stretch.

429. What punishment have you known to be given for such an accident?—Five shillings fine, or a day's pay.

430. How was your case dealt with?—I had 14 days' suspension, and I was put back to fireman, to fire at nights.

Chairman—continued.

431. What difference did that make to your wages?—Eight shillings a week; 16 *s.* a fortnight.

432. Since that time have you been doing duty as a fireman?—No, I was reinstated in my old position on the 30th of November.

433. You are a driver now?—Yes.

434. At the wages you had before?—Yes.

435. How long were you working as fireman at reduced wages?—I think it was from about the 14th of July up to the 30th of November; something like that.

Mr. *Howorth.*

436. Were you reinstated in consequence of your own application?—Yes.

437. Was there another inquiry held of any kind?—No.

438. The officials reinstated you in November?—Yes, I applied to the manager to bring it before the board of directors and ask for a reinstatement.

439. Have you any reason to believe that your case was brought before the board of directors?—Yes, I believe it was brought before the board of directors and carried through correct.

Mr. *Milvain.*

440. You defined yourself in your evidence as a fireman when you gave your evidence?—Yes, I was fireman and extra driver then.

Sir *Joseph Pease.*

441. You were promoted after you gave evidence before this Committee to the post of driver?—No, I was put to fire and told that if anything fell out that required extra running I would take a driver's place.

442. Then you had never been a regular driver?—No; I never was put on as a regular driver till the 30th of November.

443. So you are in a higher position now than when you gave your evidence?—Yes, it has made a great alteration since the Committee has sat; there is a lot more men made now than there were then.

Mr. *Milvain.*

444. You are all moved up?—Yes, we are all moved up.

Mr. ALFRED THOMAS, re-called; and further Examined.

Chairman.

445. YOU appeared as a witness before this Committee upon the 21st of April last?—Yes.

446. You were then a signalman upon the Cambrian Railway?—Yes.

447. And you are certain that what you then told us was true and correct?—Quite true and correct.

448. What happened when you got back?—As soon as I got back the station-master told me that my pay was to be stopped for the time I had been before the Committee, and it was stopped, and the pay of all the witnesses.

Chairman—continued.

449. You and the other witnesses had been paid for your time by the Committee, had you not?—Yes; but we were told by a circular that was issued that we should not suffer in any respect.

450. Did you suffer?—We did suffer by not getting our day's pay.

451. You got it from the Committee?—I did not get my full expenses; what it cost me.

452. Why did not you ask for it?—I did not know the way to go about it.

453. Did you not get from the Committee what you

Chairman—continued.

you asked for?—Yes, but I did not clear my expenses.

454. Did you think you were a marked man after that?—Yes, I did.

455. Was your mate Bunting, who was another witness, shifted from your box?—Yes, my mate Bunting was shifted altogether and sent as a guard with goods trains.

456. Do you know whether that gave him higher pay?—I do not know whether it did or not; he did not say anything about it; he was very glad to get away because the box was watched both by the foreman and Inspector Thomas like a cat watching a mouse; Inspector Thomas was always on the pounce but he never found anything that he could bring against me. There is another signal-box at the other end of the station at Oswestry; and a man, Thompson, works there; he has been there a good many years.

457. After you got back did the manager put Thompson into your box?—Yes, he put him into our box to keep an account of our work; the statement he gave the manager was not correct and did not include several duties that take hours every day to do. When I read Mr. Conacher's evidence, I asked Thompson why he did not tell the truth about what there was to do. At his box the levers are all inside, and it is far easier than at the South box. Thompson and I had a dispute about it, and I pointed out that he had never cleaned the points at all (and I being on the platform could see what was going on during the day) which to do properly takes at least three hours each day, because there are at least 18 or 19 pairs, and they are scattered all over the place, and he said he had not time to do that, or in another way he said he was too old to run; that he could not manage to attend to the block if the points wanted cleaning at the top end.

Mr. *Channing*.

458. These are all ground points are they not?—Yes. they are ground points. He said he had not time to do this, although Mr. Conacher told this Committee that the man he put in had ever so many hours to spare. This led to a dispute between us, and Thompson reported me to the manager, and we were both had up before Mr. Conacher. Thompson told him I had been getting on to him about not stating the truth as to the duties in the South box, and that I had used bad language to him. Up to that time I had never had any dispute with Thompson, but, as I told this Committee when I was examined before, my duty during the night turn included calling up guards and seeing that everything all round the station was safe; in fact, the keys of the station and offices were in my charge during the night, and I used to go to Thompson's box, which is at the one end of the station, to see that he was all right, and whether he had any message for me. He now told Mr. Conacher about my calling at his box, and said I was drunk, and went to sleep there. I was perfectly sober, and claim to be allowed to read the signed statement of the two men who were on duty with me to prove it; they are both in the service of the Company still, and are both willing to give evidence on oath if

Mr. *Channing*—continued.

required. I beg permission to read these letters. The first is from Thomas Hughes, and is as follows:—"Laburnam Cottage, Coney-green, Oswestry. February 28th, 1892. The night Thompson had a row with Signalman Thomas I was on duty as shunter. I was shunting by Thomas's box afterwards, and saw him at the time the row was on, and at least a dozen times afterwards during the night. He was quite sober, and each time the engine was at his end of the yard he ran about from point to point, and carried out all his duties the same as usual. (Signed) Thomas Hughes. Witness, J. Griffiths." The other letter is dated "No. 20, Gate-street, Oswestry. February 28th, 1892," and is from George Phillips, a fireman on the Cambrian Railway. "I was on duty as fireman on the shunting engine at Oswestry on the night that Thompson had a bother with Signalman Alfred Thomas. I noticed Thomas afterwards on duty at his own box through the night, and he was quite sober. The engine passes his box a good many times, and he gave us the signals all right. (Signed) George Phillips. Witness—J. Griffiths, Trinity-row, Oswestry." To carry it further, there was no report about it. If I was drunk, and could not perform my duties the station-master or inspector would have reported me very soon; there has been no report whatever by them while I have been in the Company's service about my being drunk; I have sworn at him.

Chairman.

459. At Thompson, do you mean?—Yes; I swore at Thompson on this occasion for giving the manager a false statement about the duties at our box, and I did fall asleep for a few minutes by the fire in his box.

460. How long had you been on duty when you fell asleep in his box?—Only the usual hours; we never did any long hours afterwards.

461. But how many hours had you been on duty when you fell asleep in his box?—From six to a quarter past one, that was the time when I was in his box.

462. About seven hours?—Yes. Then I was going on to say that it is nothing new for a good many Cambrian men to do the same thing. The manager took down what Thompson had to say. He never asked me what I had to say, and declined to allow me to speak at all. He said he should bring Thompson's report before the board, and a few days afterwards there was a meeting of the Directors. In the afternoon the station-master came to my box and said he had a wire from the manager to dismiss me at a moment's notice. I was ordered to bring in my uniform and was then paid a fortnight's wages in lieu of notice, and discharged. As a proof that the Company had no real charge against me they returned my guarantee money in full, which they would have kept back if they could have proved anything against me. There is one other thing I claim to be allowed to say before this Committee: the manager in his answers, No. 6737 and No. 6761, stated that the duties in the South box are very easy, and that it is only a school and so on, but, as a matter of fact, the duty is never finished either day or night, because of having to attend

Chairman—continued.

attend to the trains that are calling, counting the whole of the trucks in the south yard, lighting the lamps for the trains, and so on. I sometimes have had to go three-quarters of a mile round the town calling the guards, and sometimes after calling in Thompson's box I have had to run almost out of the borough of Oswestry for a man who understood the instrument. I kept a written account after I was examined before this Committee, and I found that the shunting engine passes the box at least 120 times, on an average, during a ten-hour day shift, and 60 times during a fourteen-hour night shift, and each time it passes the signalman has to give the signal and run about from point to point to shift the points, besides attending to the regular trains and all the other duties that I mentioned in my evidence before.

Sir *George Trevelyan.*

463. I do not quite understand about Thompson making these statements; you fell out with Thompson because he made certain statements which you said were not true. Where did he make those statements?—I suppose in the office; he and another man were placed in the box, one for the day and the other for the night; that was shortly after we came back from giving our evidence. My mate was put on a goods train for the day, and I was put on the platform as a porter, so I thought there was something on, and I watched the movement.

464. Then what was this statement which Thompson made?—About my not giving a proper description of the work done in the box; there is the point cleaning; he told me in the box that he would rather give 5 *l.* to anyone than go and do that work, because that work cut up so heavy.

465. But why was he put into the box?—To see that I had given a proper account of the work, and had mentioned everything correctly.

466. When you were working very long hours consecutively, did the superior authorities ever make any minute inquiries about your working these long hours?—No, I found it a regular thing; the two men Mr. Conacher has got here to-day have worked the same hours.

467. There were no inquiries made about them?—No, no inquiries were made. I found that everything worked very smoothly before they came up; but afterwards I found that Thompson, the signalman, would not let the train pass through during the time I was calling a guard up in the town, so that during that time the train had to stand.

468. Who was the official who appointed Thompson?—I suppose it was the station-master.

469. What I want to know is to whom these statements of Thompson's were made?—I could not say; I suppose they went up from the station-master to the manager, and so on.

470. But how did you hear of this?—I went to the box one night, and I found that they were counting the number of trains passing; this man was taking the number of trains just as I had done before.

Mr. *Howorth.*

471. When you were dismissed did you make any appeal at all to the manager?—No, I knew it was no use at all, because I did not have fair play when I went up with Thompson; he would not listen to me; "That will do" he said, "I will take Thompson's report."

Mr. *Howorth*—continued.

472. And you left the place?—Yes; I said I would see the Amalgamated Society about it.

Mr. *Channing.*

473. With reference to these long periods of 36 hours and 40 hours, did you regularly sign the time sheets at the conclusion of those hours of duty?—Yes, I have signed for everything I did.

474. Did you sign them at the end of the 36 hours or did you sign them at different times for different periods, making up the time of 36 hours?—I should have to sign for the overtime at a different place.

475. If you began on the Tuesday, would you sign on the Wednesday for the Tuesday night and then again on the Thursday for the Wednesday night?—The way we did would be to write in overtime when we worked it, and then send it in to the station-master and he would write it in a separate book, as distinct from the regular wages.

476. But for these periods of 36 to 40 hours you sign on at the beginning of the 36 hours and off at the end of the 36 hours?—Yes; if you mean the train-book, I keep signing that all the way along; that is how I know the time I have been on.

477. But are your signatures made at the beginning, and at the end of the 36 hours, or two or three times during the continuance of the 36 hours?—It is no signature at all; it is only hand writing.

478. Is your handwriting at the beginning and at the end of the 36 hours, or do you have to put your pen to the paper in between the beginning and the end of the 36 hours?—Do you mean on the train-book or the time sheet?

479. The train-book?—I keep on entering my work as long as I am on duty; I never sign my name.

480. That would be the record of the trains you take in and out; but I want to know as to your long hours of duty upon the return that you make to the general manager; how you make the entries?—I should say, "All night on duty in south box," on such a date, and then "All day" at the end.

481. You had these long spells of duty on Tuesdays and Thursdays every fortnight?—Yes.

482. Will you just explain to the Committee how you made the entries which showed that you had been on duty 36 hours?—I could tell what I had been on by my writing in the book.

483. Would there be an entry on the Tuesday when you began, and on the Thursday, when you left off, or would there be an entry on the Wednesday also; that is to say, in the time-sheet or whatever book you kept?—No; I would have to write a note out the night before, and state what I had worked.

484. But you state that you made entries in the time-sheet which showed perfectly clearly to anyone on the face of them that you had been

Mr. *Channing*—continued.

at work these 36 or 40 hours?—Yes; I had been at work, or else I should not have got my time.

485. But do you say that anybody in the manager's office making up the books would have been able to see that you had been at work these 36 hours?—Yes; I take it so; I sent them in in the same way as other signalmen; I was shown how it should be done.

486. The next question I have to ask is, were you given to understand that your dismissal was caused by your having given evidence which was disputed or thought incorrect?—No, I did not hear anything of that.

Mr. *MacInnes.*

487. But I do not understand why you were dismissed. You say you went to sleep in another man's box; how long was that before you were dismissed?—It would be about four days to a week.

488. What notice did you get when you were dismissed; what was said to you?—The station-master came to me at ten minutes to six the day the directors met in Birmingham or Manchester and told me he had information from the manager, I understood him to say, to dismiss me at a minute's notice, so he he said, "Fetch your clothes in and you will get paid."

489. Did you ask what the reason was?—No; I was under the impression at the time what it was for; that it was for giving evidence.

Chairman.

490. But you had been had up before the manager?—Yes; I had been had up before he manager for Thompson's affair.

491. Was any notice taken of you by the officials?—Only Thompson's affair, that I was in the box.

492. Would that have had anything to do with your dismissal?—It would have been reported that I was drunk, I suppose.

Mr. *Crawford.*

493. How long have you been in the service of the Cambrian Railway Company?—A little over twelve months, I think.

494. What were you before?—A soldier.

495. I do not quite understand the matter about Thompson; you say that you were put out of your box, and put on the platform as a porter?—Yes, while these two men were placed in our box, one for night and the other for day work.

496. But you were not dismissed as a signalman that day?—No, I went back the following day.

497. Then I understand you complained of Mr. Thompson that he had not given a correct account?—Yes.

498. Thompson was in the other box?—Yes.

499. Was this dispute between you and Thompson in his box the same occasion on which you complained of him?—Yes; I told him of it that night.

500. But how did you fall asleep when you were actually wrangling with him?—I had to shift out into the town at half-past two to call people, and it was after the midnight train that I talked to him; I had to go out into the yard

Mr. *Crawford*—continued.

and then come back; I talked to him; I had been talking to him before about it, and on coming back I sat down by the fire and had a smoke. I used frequently to call in there. One night the guard of the night goods to Whitchurch failed to catch the train; he missed his footing and the train went off without the guard and they telegraphed back about it. Thompson seeing the needle working told me of it, and I had to go for some one who could understand the instrument.

501. But how soon after you had given evidence was Thompson put into your box?—Two or three days; it was very soon.

502. Do you remember how soon after that your dismissal occurred?—I did not take much notice of the dismissal, nor the date of it.

503. How many weeks was it after you had given evidence?—I think it was the 8th or 9th of July.

504. You gave evidence upon the 21st of April, that would be nearly three months afterwards?—I did not keep an account of it, but I daresay it could be found out.

Mr. *Maguire.*

505. Was Thompson in the box on the day when you fell asleep?—Yes.

506. How long had you been asleep?—I could not have been long, because I had to see the midnight goods out, which came in about twelve; sometimes I had to go a good quarter-of-a-mile towards Whitchurch to turn this goods out, to unlock the points, and turn the engine up and turn the waggons down, and then set back the points; that was to be done, and on coming back I counted the waggons there were in the south yard, and made an account of them to give to the foreman-porter in the morning, and then I would retnrn and sit down and have a smoke until half-past two, when I had to call up the guard for the mail.

507. Did you go to his box before you went to send off the goods?—I went to his stage to see what waggons were loaded, because from there I could throw the light upon them to distinguish the loaded from the empty trucks; then I went down the yard and counted the other trucks, and then returned and spoke to him about it, but I had been speaking to him several times about it.

Mr. *Flynn.*

508. With reference to the time sheets about which Mr. Channing asked you, who keeps those time-sheets which show the amount of time worked by the signalmen; to whom are they shown?—To the station-master.

509. Are they printed sheets that you have to fill in?—They are printed sheets; they are like memo forms that you have to fill in.

510. When you say that you have worked 30 or 40 hours, is there any one to check your return?—Yes, the foreman would very soon check it if you put in too many hours. When I put in what I did I was told I should be soon grumbled at upstairs if I put in so much time.

511. You say you went on duty at 6 p.m. on Monday the 28th of July 1890, and remained on duty till 10 a.m. on Wednesday the 30th; that would be 40 hours?—Yes.

Mr. *Flynn*—continued.

512. Would you have to sign any sheet upon the Tuesday morning of having been on duty all that time?—Yes, I would.

513. How often during the 40 hours that you were on duty without relief would you have to give a return?—Only once a week; just before the pay-day.

514. You would not have to enter upon any memorandum, would you, the hour of the day and night?—I would keep an account of it myself, so that I should know what I had to send in.

515. But that would only have to be done once a week?—Once a fortnight; the day before pay-day; they keep a week in hand.

516. The station-master checks it?—Yes.

517. If you were on duty continuously for 40 hours the station-master would be aware of it?—Yes, and the foreman too, because they both live by the box.

Mr. *M'Laren.*

518. Are you sure that you have sometimes been told that you would be grumbled at if you made such long hours?—Yes; because sometimes I would make a mistake and omit to send in the statement for any particular week, and then the station-master would tell me, "I do not like to see so much overtime going in at once, so you will have to put it upon two sheets."

519. Have you ever put in less overtime than you did work?—No; I have put in all I worked.

520. Was there any attempt amongst the station-masters to conceal the time that the men worked except by spreading it over longer periods?—There is a man here who has been working long hours, and it appears that that has been kept quiet.

521. You were charged with being drunk on one occasion instead of being as you say you were, asleep in the signalman's book?—I think so, because Thompson mentioned it to the manager.

522. Have you ever made any attempt to investigate whether you have been really charged with being drunk or not?—I have not; I was discharged shortly afterwards.

523. But you deny it altogether?—Yes, I deny it altogether; moreover, I can say I did my work perfectly satisfactorily.

Mr. *MacNeill.*

524. Are you out of employment now?—I am.

Sir *Joseph Pease.*

525. You say when you returned from giving evidence before this Committee Thompson was put into your box in order to check the accuracy of the evidence you had given here?—Yes.

526. And you were put upon the platform?—Yes.

527. How long were you on the platform?—One day.

528. Only one day?—Yes, one day only.

529. And then you went back to your box?—Yes.

530. And your wages were the same for the one day that you were on the platform as if you had remained where you were?—Yes.

531. Then you went back to your box and performed the duties you described to the Committee when you gave evidence?—Yes.

532. Thompson's box was at the other end of the station?—Yes.

533. And then you went from your own box to Thompson's box to reproach him with the report he had given of the duties performed at your box that evening when you went and had a smoke in his box?—Yes, I was on duty then.

534. You were on duty in your own box and then you went to his box to reproach him for having given an incorrect account of the duties performed in your box?—Yes.

535. Was that the time you swore at him?—Yes.

536. Had you had any drink?—No.

537. Not any drink that day at all?—Yes, I daresay I had one at dinner-time.

538. Then, as regards this report that was made by the station-master or manager, who was it who saw you and refused to hear you?—That was Mr. Hammond, the station-master.

539. Was it he who would not allow you to speak?—No, Mr. Conacher stopped me; I was going to say something in my own defence, but he would not let me.

540. You went over to Thompson's box to reproach him for the account he had given of your duties?—Yes.

Mr. JOHN CONACHER, re-called; and further Examined.

Chairman.

541. YOU are now the general manager of the North British Railway?—I am.

542. And you were up to the end of last October the manager of the Cambrian Railway?—That was so.

543. You are acquainted I think with the evidence which has been given before the Committee by station-master Hood?—Yes, I am.

544. The Committee would like to hear what you have to say upon the subject?—You will recollect that when I gave evidence before, you asked me to put in a statement of the actual time ex-porter Humphreys had worked in the week in which the accident occurred, in November

Chairman—continued.

1887. At that time the block telegraph book had not been found. When I went back I directed a very strict search for that book and told my people that no effort was to be spared to have it found. My chief clerk went to Ellesmere and found the book under some old papers, and immediately it was discovered and brought to me I sent for Mr. Hood, who was then station-master at Montgomery. I told him that the Right honourable Chairman had made the request and that he (knowing that he had been the station-master at the time) should be able to give a true account of the time porter Humphreys had worked during the week. I

Chairman—continued.

gave Mr. Hood this book, and I also put before him the pay-sheets which he himself had prepared, to find out all about that week; and I put in that book now which contains the entries of all the men who were on duty on the Friday and on the Saturday (*handing in the same*). I also put in the pay-sheet which shows the men who were paid for doing duty on the two nights the regular night man Roberts was absent at Welshpool: those were Friday and Saturday nights (*handing in the same.*) The first entry is in the name of Robinson, the booking clerk.

Mr. *Channing.*

545. Do you mean by "in the name of," signed by or initialed by?—Signed by Robinson. Robinson was described by Mr. Hood as having done the duty on one of those two nights. Mr. Hood stated before this Committee last Session that Robinson was not fit for that duty, and Humphreys, who has been before you to-day, signed for the second night.

Chairman.

546. The first night was the Friday night; the second night was the Saturday night?—Yes.

547. There is no dispute, I think, as to Humphreys having been on duty on the Saturday night; the question is, who was on duty on the Friday night; you say Robinson signed for that?—He signs for this payment which was allowed for that night's duty.

548. Are you are quite sure it is in his handwriting?—I am quite sure of it. I will hand in to the Committee the extra pay-sheet for that fortnight and the ordinary pay-sheet, and you will be able to see the signatures of both men and compare them (*handing in the same*). You will see Robinson's handwriting here and Humphreys' handwriting here (*pointing*). Robinson signs for the first, the Friday, and Humphreys signs for the second; those signatures you will find in the same handwriting as the signature of those two names in the ordinary pay-sheet; in fact they were paid for at the same time.

Mr. *Channing.*

549. Are you aware that you stated here, in answer to Question 6859: "My answer to that is this, that the night man had been on duty the previous night"?—Yes, I was wrong there, because I was under the impression that the night man was only absent one night, and it was not until Mr. Hood came to Oswestry and that document was before me that I saw that the night man was absent two nights; to that extent my answer requires correction.

Mr. *Somervell.*

550. When did you discover this?—Upon the 30th June. I also asked Mr. Hood if he could show in the block-book for the Friday night the handwriting of Robinson, whom he had paid for that night's work. Here is the block-book (*exhibiting the book*), and the handwriting is totally unlike that of Robinson and also unlike that of Humphreys. (*The book was handed round and the signatures exhibited.*)

551. Whose handwriting is this (*pointing to the book*) on the previous page?—Those are the clerks, and some of them are the station-masters who were on duty during the day-time.

552. Can you tell the Committee which is Humphreys' handwriting?—Yes. That (*indicating signature*).

553. Have you any other specimens of their handwriting besides those?—Those are both attested by the station-master as having paid the money to those men.

Chairman.

554. There is no doubt that Robinson has signed as having been paid for that night?—That is so.

555. Then are these figures in the block telegraph book Robinson's writing?—No, not in my opinion, nor in Mr. Hood's opinion. Mr. Hood could not speak with certainty either as to the handwriting or as to the hours of duty of Humphreys during the week. I said to him, "Will it be of any assistance to you if I send for the night man, Roberts," who was on duty that week, with the exception of those two nights. He said he thought it would be, and I therefore put off the meeting two or three hours and sent for Roberts, and when Roberts came he was able to recall the matter to Mr. Hood's recollection, and the table which was sent to the Committee, and is appended to the Report of last year, is the table which was prepared in consequence.

556. Then, as a matter of fact, was Robinson on duty during that Friday night?—No.

557. Then how do you account for his having filled up this book and signed this pay-sheet?—That I will come to directly. Not being able to identify the handwriting at the moment, I let the matter rest a little until Mr. Hood gave his evidence here, and when Mr. Hood, after having seen that book and after having seen the pay-sheet in which he himself entered Robinson for Friday night's duty, came to this chair and said that Humphreys had been on duty that night. I wrote to you, Sir, and said that I adhered to all I had said with regard to Humphreys. Directly after that, on that same afternoon, I received from Mr. Hood a letter. This letter is dated the 17th of July, the day after he appeared here, and it says: "In giving my evidence yesterday the question was asked me if Humphreys was on duty 44 hours, and I replied that he was, except the hours he was away at meals. You may think this very strange, knowing that I was aware that Robinson was put down in the pay-sheet for one night, and when I saw this in your office I had grave doubts as to Humphreys being on duty. The matter then came upon me rather suddenly, and I could not recall the facts when at your office; but since then the whole of the facts connected with the case have been distinctly brought before me, and I am now convinced Humphreys was on duty on the Friday night, and a satisfactory explanation can be given as to why Robinson was put down in the pay-sheet. It was impossible for me to know that this question would be asked; but when it was asked I was obliged to speak what I was convinced was the truth, although I would much rather this and several other questions respecting the men dismissed, &c., had not been asked; but

Chairman—continued.

as you will be aware I was compelled to answer them, and it was a good thing that Sir M. Hicks Beach refused to allow other matters to be gone into which certain members of the Committee put to me, and that I did not answer. My object in going was really to clear my character. As, however, I shall be most likely called again next year, I would rather not go into the matter further at present;" that is to say, with reference to the explanation. I did not answer Mr. Hood's letter; I thought perhaps he would tender an explanation, but then another letter came on the 29th of July, in which he said: "I was very much surprised to see in the 'Oswestry Advertiser' a letter from Mr. Edward Harford to-day respecting the accident at Ellesmere in 1887, &c., and I wish to say that I have not given any information to Mr. Harford, either directly or indirectly; in fact I have never written or spoken a word to him on the matter, and I had not the slightest idea that he was going to write to the 'Oswestry Advertiser' or any paper about it." That letter was a letter which Mr. Harford wrote, in which he stated that it had been conclusively proved, on the evidence of Mr. Hood, and that he had the best authority for saying that Humphreys had been on duty 44 hours. Then Mr. Hood's letter alludes to other matters, and he concludes by saying: "I beg to ask you to kindly bring these facts before the directors in the event of their inquiry into my conduct in the matter." Now I made up my mind to get at the bottom of this question. I gave instructions that the handwriting of all the servants of the company who were qualified for taking the duty of night man at Ellesmere should be compared with the entries in the block-book, with the result that the handwriting was found to be that of an assistant guard, named Stokes.

Mr. *Channing.*

558. What handwriting are you referring to?—The handwriting of the Friday night, that enclosed within the red lines, for which Robinson was paid and for which Humphreys says he did the duty. With that clue the matter was followed up, and I put in now the statement sent in to the station-master at Oswestry by Stokes, asking to be paid for that night's duty; it is dated 16th November 1887. "Memorandum from Oswestry Station to Mr. Hammond. Sir,—Please allow me over-time, 4th November. At Ellesmere all night, relieving night man, one day;" he was paid for that.

559. Was he paid for that in addition to Robinson?—Yes, he was paid for that at Oswestry, upon the statement that I have just read.

560. How was it that you did not know of that before?—Because the pay-sheets under the hand of the station-master showed that Robinson was on duty.

561. But you did not know that either; you came before us in June without knowing anything about it?—My impression when I was before you was that nightman Roberts was on duty on the Friday night. I correct that by saying that on the Friday night Stokes was on duty.

562. Did you have this information in your possession four years ago?—It was in my possession four years ago, but it was not at hand until search was made specially.

Mr. *Channing*—continued.

563. But you were aware that it was the very point upon which the whole matter turned and yet you came before the Committee without having a material paper which would have enabled you to know who had been on duty that night and had been paid for that night?—I did not know it without going through the papers personally.

Chairman.

564. Who does this come from?—The station-master at Oswestry. Stokes I may say is in the room.

565. And who is the station-master at Oswestry?—Mr. Hammond. This gives a clue to the person who was on duty on the Friday night.

566. This is a memorandum from Oswestry Station to Mr. Hammond. "Sir,—Please allow me overtime, 4th November, at Ellesmere all night relieving night man, one day; 11th November, in Coney Green Box all night, one day; 15th November working special to Whitchurch and back, half day. Total two-and-a-half days, Yours truly, *J. Stokes.*" That was the claim Stokes made for his overtime?—Exactly; he was upon the Oswestry staff.

567. Mr. Hood could not have known of this?—He could not have known of that document. Then Mr. Hood afterwards sent the explanation why the pay-sheet was made out in the name of Robinson; the explanation he gave to the directors was to this effect: "I should like to make a statement with regard to the pay-sheet. One day was put for James Humphreys and another was put down for clerk Robinson, that, of course, would lead you to the conclusion that porter Humphreys and clerk Robinson were both on duty on the Friday night in question. The explanation of this is, on the Friday morning, the night man, Roberts, was sent to, I believe, Oswestry. On Friday evening, as he did not return, I came to the conclusion that he would not be coming at all, and of course I tried to make arrangements for someone else to take his place. I went to the warehouseman and asked him if he would go on duty that night, but he objected to do so on account of the heavy nature of his own duties. I then went to porter Humphreys and asked him if he would do so. He also objected, but at last consented on condition that Robinson should stay with him for company. This was agreed to, and both men were on in the morning, when I came back. When the sheets were made out, after the accident took place, Robinson said that he was entitled and ought to have pay as well as Humphreys for the Friday night. I did not at first consent to this, but as we were very anxious to keep quiet the fact of Humphreys being on duty so long as 44 hours, lest it should be the cause of doing the company harm, I afterwards did so. And this was one of the reasons also why I signed the memorial." Upon this Mr. Hawkins asked him, "Do you think that it is justifiable to keep back information from your general manager." To which Mr. Hood replied, "I might have been to blame, but I thought it would do the company harm if this

Chairman—continued.

this got out." That was the explanation he gave.

Mr. *Channing.*

568. What is the date of that?—That was on the 30th of September last.

569. After his dismissal?—After his dismissal, when the directors gave him an opportunity of stating his case. Now, if you will allow me, I will just pass to the question of the accident which will lead up to the knowledge which Mr. Hood had of Stokes being on duty. I was called to the scene of the accident; when I got there Mr. Hood met me, and I asked him if he could say how this accident has arisen. He told me that he thought it was due to the bad condition of the sleepers. I said I could not believe that, because they had only been in five years, and I said, "You must come with me and show me them." I took him up to the points, and asked him to show me the sleepers which were defective. I saw the sleepers; they were not destroyed at the points at all; the road was intact for two waggon-lengths from the points onwards, and the fragments and splinters of the timber were splinters of sound timber, the splintering of which had been caused by the grinding of the engine going over them. It appeared that the engine was split by the points; the momentum of the engine was such that when it was shifted round by the obstruction the engine bent the steel rails and damaged the sleepers. I examined them, and it was clear to me, as it was afterwards clear to the Government Inspector, that the accident had been caused by the points being half set, and when the first pair of wheels went through the vibration of the engine caused the balanced points to close, and then the engine was swung round with the result I have stated. Nothing further was said about the sleepers.

Chairman.

570. When the inspector held the inquiry on the spot, were the sleepers and the remains of the permanent way left there so as to be under his inspection?—The permanent way where the train went off was in position; that is to say, the line was not disturbed, but where the sleepers had been cut up they had been taken out of the road and new ones put in; where the others actually went to I cannot say, but the engineer is here and the inspector of the permanent way, and they will give the Committee information on that matter, if it is desired. At that time we had under trial an apparatus designed by one of our own people to prevent the signals being lowered for a train when the points were not in proper position, and one of those instruments was fitted up at that pair of points, and upon the 18th of November, that is 11 days after the accident, Mr. Hood wrote me this letter:—"The new trap that has been put up by Mr. Cheeseman has been tampered with last evening by some person or persons unknown. The signal could not be drawn in, and a porter had to go down to the points to put the traps right. This looks very much as if the points had been tampered with on the morning of the 6th, after Humphreys examined them. I need hardly tell you that if there is a person who is guilty of such a thing as trying to throw a train off the line, it

Chairman—continued.

is a very easy matter for him to do it at the points without anyone knowing it, and I should strongly recommend that the trains be all allowed to come on the up-line and cross over at the next crossing at this side of the bridge, and that the points beyond the bridge be disconnected at once, otherwise we may expect a fearful accident." That shows that Mr. Hood had by that time come to the conclusion that the accident was caused by the misplaced position of the points; and, therefore, this suggestion is inconsistent with with the one he now repeats. I may say that the engineer is here, and the inspector, who is not now in the service, having left the service not very long ago, is also here, after he has been asked on Mr. Hood's behalf to come and say that the sleepers were rotten, and that he had been refused new sleepers for that line. Now Mr. Hood last Session said this, in reply to Questions 9837-8-9. I will read the passage: (*Q.*) "It is denied by Mr. Conacher that you applied for a relief man; he said, 'There is no trace of any application to the head office;' you did apply for relief men, did you?—(*A.*) I did on the Saturday afternoon. (*Q.*) Did you apply in writing?—(*A.*) I telegraphed to Oswestry to Mr. Conacher himself, or to the office. (*Q.*) Did you get any reply to that?—(*A.*) I got a reply stating that they had no one to send, and that I must make the best arrangements I could." Now what took place on that day was this: that this telegram was sent from my office in my name; I knew nothing about it, but I take the responsibility for it; it went at 11.50; "Can you arrange for one of your men to take night duty to-night? Roberts to do so to-morrow night, and Stokes to resume on Monday. Reply."

571. That was on the morning of the Saturday?—Saturday, the day previous to the accident; the inference being as to Stokes that he had been there the evening before. The reply came, "I will arrange for one of my men to do night duty to-night; no night man is required to-morrow night." The writer of the first telegram had forgotten for the moment that Ellesmere station is closed for 26 hours from four o'clock on Sunday morning to six o'clock on Monday morning, and he had forgotten when he sent that telegram that there was no night man required except for the Saturday night. Now Mr. Hood has said in his evidence, in answer to Question 13 in the proceedings of Thursday last, that he has no recollection of these telegrams; that neither of them bore his signature or initials and were not in his handwriting or that of his clerk, and therefore he could not have received or sent them. Of course a telegram when received is not in the handwriting of the sender; it cannot be.

572. Do you produce the telegrams?—I produce the office copy of the telegram which was sent from Oswestry on the Saturday; that is the press copy (*handing in the same*). This (*exhibiting a telegram*) is the reply on the proper form as received at Oswestry.

573. Mr. Hood informed the Committee that at this period he had work to do at another station besides Ellesmere; was that so?—I cannot say as to that day, but there was a station at Bettisfield where the station-master is infirm, and it had been the habit of the Ellesmere station-master to help him with the accounts. But Mr. Hood

Chairman—continued.

Hood was at Ellesmere this day, as I will now show. I wrote to Mr. Hood after the accident to know how it was that he put Humphreys on to do this duty on Saturday night, and whether Humphreys made any objection to take it. Mr. Hood wrote on the 16th of December 1887: 'To the best of my recollection the following is a correct account of what took place between me and Humphreys on receipt of telegram asking me to arrange for one of my men to do night duty on evening of the 5th. I asked Humphreys if he was agreeable to go on night duty to oblige you, as you found it difficult to send a man, and he said at first he did not know. I asked him to think it over and let me know, and the words he used shortly afterwards were these: 'I might as well go on duty for the night as I shall be done early on Sunday morning,' and I said, 'Then you will go on night duty,' and he said 'Yes'; and I said, 'Well, of course, I shall ask for an extra day's pay for you.' I do not recollect him objecting in any way. On several previous occasions my men strongly objected, and I went on night duty myself." That I put in to show that the telegram was received by Mr. Hood (*handing in the letter*).

574. Is that in Mr. Hood's writing?—Yes. I should like to point out that there is nothing in my telegram which justified his saying that I had no one to send; in fact, the relief man Stokes was already appointed to the duty, and the telegram was sent to ascertain whether Mr. Hood could arrange to do without Stokes that night, the object being to let Stokes go home for the Sunday, because if Stokes had gone to Ellesmere that Saturday, he would have been at Ellesmere all Sunday, there being no train to bring him home.

Mr. *Crawford.*

575. Stokes would have had two nights and a day?—Yes, he would; he was appointed for the Friday, and he would have been on duty on Saturday night, but for Humphreys having taken the duty.

Mr. *Channing.*

576. When were you first aware that Stokes was probably on duty for two nights?—Only when Mr. Hood gave his evidence, and I was unable to reconcile the evidence with the pay-sheets, and then I made inquiries as to Stokes.

577. When did you find that out about Stokes?—About a fortnight after Mr. Hood gave his evidence in July last year. Now passing from that point, there are three other points that I should be glad if you would allow me to allude to. Mr. Hood said I misrepresented the facts as to the cause of his suspension, he stating that his suspension was due solely to his having signed the memorial; that is exactly what I did say, if you will kindly refer to my answer to Question 6940; that is to say the alleged correction by Mr. Hood in his evidence of my evidence as to the cause of his suspension, is in exact accord with my evidence as summed up in answer to Mr. Pickard in Question 6940, that he was suspended solely——

578. I gathered from your evidence given before this Committee last year that you had not

Mr. *Channing*—continued.

clearly in your mind the circumstances of the suspension and removal when you were first asked questions about this, and that by degrees it came to your mind, and the result is the statement you find in answer to Question 6940?—Yes; Mr. Hood has also said that I refused him leave. When he came to Oswestry to help to prepare that return for the Committee last year, I told him that very much to my surprise when giving evidence a question was asked in cross-examination as to this suspension which between us it had been agreed to keep secret. I told him I was very sorry for it, because I had never said a word about it, and I felt sure that publicity must have been obtained through some action on his part; and he must understand when it appeared in print if he thought it was detrimental to him, that I was not in any way a party to it. Then he wrote me upon the 27th of June 1891: "I have to-day seen a report of your evidence given before the Select Committee in London in which you state that at the time the above accident happened an intimation was given to me that I should be removed to another station. That I was suspended on account of the said accident for a fortnight, and that I volunteered to do duty for a fortnight for nothing. Now the correct particulars was that no blame whatever was attributed to me with regard to the accident itself, as I had given written orders for the points to be examined, and I had no intimation of any blame till 23rd December, nearly seven weeks after, when you sent for me and told me that in consequence of having signed the petitions (got up in favour of James Humphreys) the directors had ordered that I should be suspended for a fortnight without salary. I had no option, but to submit to it, therefore, I could not volunteer to do my work for a fortnight for nothing. You will thus see that the report to-day will do me great harm, as I have been well known and respected by almost everybody in Shropshire for many years, and I beg to ask you to allow me to give evidence on this matter before the Select Committee in London, and also write a letter to the editor of the 'Salopian' paper, otherwise my character is gone, and I shall never be able to hold up my head in society again unless the matter is put right." I do not think I need read any more of it, but my answer was this——

Chairman.

579. But you have seen the evidence Mr. Hood gave on the last occasion; in that evidence I think he read this correspondence?—I have only seen it hurriedly, but if he has read it I will not trouble the Committee with it; but he goes on to say: "With regard to what you told me yesterday, I was very much astonished at what you told me, and on arrival here I talked over the matter with my wife, and she told me that when I had no wages to give her I was obliged to own to her the cause, but she promised to keep that matter secret. She was, however, so angry about it that some weeks after she could not keep it secret any longer, and told Miss Thomases, of Beech House, and the Rev. Canon Howell Evans. You will thus see I could not help that matter getting out, and no blame can be attached to me for it." My reply, dated 29th of June 1891, was:

Chairman—continued.

was: "I am in receipt of your letter of the 27th instant, and now understand how the private arrangement made for giving effect to the order of suspension became public, and repeat the expression of my regret that this should have taken place. You are, however, mixing up the order of the directors, with regard to your signing the petition, with their order upon the accident as it affected you, and I beg to remind you that in May 1883 the then traffic manager, on the occurrence of a similar accident, reported the discipline at your station as being unsatisfactory, and that he intended to transfer you to a less important post. This change he did not carry out, and it must be within your recollection that when the 1887 accident occurred I intimated to you that that intention must then be given effect to. You thereupon stated that, rather than be disrated, you would leave the railway service and take to farming. To enable you to do so further time was given, but ultimately you were unable to carry out that intention, and the removal to Montgomery took place. These are the facts, and my evidence extracted from me unwillingly in cross-examination, is in strict accordance therewith. There is nothing to correct, and I cannot consent to your communicating with the papers." Of course I could say nothing as to his appearing here. It was a matter for the Committee to select its own witnesses, and Mr. Hood had had the circular in common with all the other servants of the company. Then nothing further occurred until the day on which you summoned Mr. Hood to appear here. I was in London that day. I left in the afternoon, and after the office closed this telegram was received at Oswestry, dispatched from Montgomery at 5.30, "Hood, Montgomery, to Conacher, Oswestry. Telegram just received from Everard Doyle, House of Commons, requiring me to give evidence before Committee on Railway Servants on Thursday next, 16th July, at twelve o'clock. Please grant me leave of absence to go, and passes to Euston and back; shall require to start to-morrow night." That telegram was sent to the house of my clerk, into whose hands it came at 8 p.m. He met me on my arrival at 9.35 p.m., and I told him I should be at the office at 9 in the morning and that I would give him instructions then. As soon as the office was opened a telegram was dispatched at 9.10, informing him that his telegram was received too late the night before to receive attention, and that he could have the leave asked for, and this letter followed by the first train, 10.40: "As stated in my wire this morning your telegram was despatched too late to receive attention last night. You can have the leave asked for, and I enclose passes to Welshpool." That is as far as our line extended. "But time does not admit of a ticket order being obtained. If, however, you will let me know the number of the ticket taken I will apply for a refund. Relief clerk Roberts will take charge of the station during your absence." Then Mr. Hood wrote me this note: "I will take a ticket to London from here to-night; as we shall get the rebate, and there is not much time in Welshpool to re-book. I am obliged for the leave and passes to Welshpool and back. In giving evidence, I only wish to clear my character. I have not the slightest

Chairman—continued.

intention to say a word to injure the company in any way, and shall be very careful to speak the truth so far as I know it." The London and North Western Company's office close at five; Hood's telegram was not received until 5.50, therefore it was impossible to get the pass, and we took the proper course in authorising him to take a ticket; and although Mr. Hood said that he would not believe me when I said that we would refund, yet seeing that it was an undertaking on the part of the company he could have got it from the company at all events. But to show that he need have had no such apprehension, here is a letter from him in which he asked me to do the same thing on behalf of his wife who at some previous time had taken a ticket in lieu of a pass, he writes this letter on the 26th of September 1887: "Dear Sir,—On 14th September my wife booked to Salop by our 8.58 a.m., taking ticket 6,169, fare 1 *s.* 8 *d.* On return journey she took ticket No. 1,152, by 9.40 a.m. train, 16th September, fare 1 *s.* 8 *d.*, both *viâ* Whitchurch. Will you kindly ask the London and North Western Company to refund the fares as I had not time to write for passes, and oblige yours obediently, *J. Hood.*" That shows that he was familiar with the process.

580. That is a long time ago?—Yes, but that is our ordinary practice. Now from a hurried examination of the evidence given on Thursday last I have noted one or two points which I should be glad if the Committee will allow me to refer to.

581. I think we had better have from you the report of the proceedings at the meeting of the directors?—Then I will formally produce it and read it:

"Report of proceedings of committee of directors appointed to give Mr. Hood, late station-master at Montgomery, an opportunity of making any statement he wishes to submit for the information of the board, held at Crewe on Wednesday, 30th September 1891.

"Present:

"Mr. J. F. Buckley, Chairman.
"Mr. W. Bailey Hawkins.
"Mr. J. W. Maclure, M.P.

"In Attendance:

"Mr. J. Conacher, Secretary and General Manager."

Sir *George Trevelyan.*

582. Had Mr. Hood been previously to this informed of the cause of his dismissal?—No.

"On Mr. Hood being called in, the chairman, addressing him, said:—The directors believed when they came to their recent decision relating to yourself that they had before them all the facts of the case to enable them to come to a judgment. Of course they had all the correspondence, but in consequence of the letters you have written to me the board have thought it desirable to give you an opportunity of making any statement you may wish to do. You must understand that your dismissal was not because you gave evidence before the Select Committee; you were summoned to give evidence;

dence; but you must address yourself to the question of the justification of the statements you made there. We do not object to your giving evidence, but you must justify what you said.

"Mr. *Hood.*] Am I to understand the general manager denies my evidence.

"*Chairman.*] Yes.

"Mr. *Hood.*] The reason I gave evidence before the Select Committee was in order to clear myself. I was not aware until I read Mr. Conacher's evidence that I had been blamed for anything, except with regard to signing the memorial, and I felt very strongly on the matter when I saw the particulars in the paper, blaming me for not making better arrangements with respect to the staff. I was very much excited, and wished to go up and make my own statement, or to be allowed to write to the papers. I had no idea I was blamed for anything, except for signing the memorial, and I do not recollect being blamed by Mr. Conacher for anything else. I should like to make a statement with regard to the pay-sheet. One day was put for James Humphreys, and another was put down for clerk Robinson. That, of course, would lead you to the conclusion that porter Humphreys and clerk Robinson were both on duty on the Friday night in question. The explanation of this is: On the Friday morning the night man, Roberts, was sent to, I believe, Oswestry. On Friday evening as he did not return, I came to the conclusion that he would not be coming at all, and, of course, I tried to make arrangements for someone else to take his place. I went to the warehouseman and asked him if he would go on duty that night, but he objected to do so on account of the heavy nature of his own duties. I then went to porter Humphreys and asked him if he would do so. He also objected, but at last consented on condition that Robinson should stay with him for company. This was agreed to, and both men were on in the morning when I came back. When the sheets were made out, after the accident took place, Robinson said that he was entitled, and ought to have pay as well as Humphreys for the Friday night. I did not at first consent to this, but as we were very anxious to keep quiet the fact of Humphreys being on duty so long as 44 hours, lest it should be the cause of doing the company harm. I afterwards did so. And this was one of the reasons also why I signed the memorial.

"Mr. *B. Hawkins.*] Do you think that it is justifiable to keep back information from your general manager?

"Mr. *Hood.*] I might have been to blame, but I thought it would do the company harm if this got out. Porter Humphreys, Robinson, and another person, can corroborate what I have said. With regard to the permanent way, I do not wish to set my opinion before that of the general manager or engineer, but on the morning of the accident I went down to the scene, and took the position of the waggons.

"[Mr. Hood here produced a sketch of the wrecked train, which, however, it was pointed out to him was incorrect with regard to the position of the engine, that vehicle being the first to leave the rails. It was explained to Mr. Hood how it was proved by his own sketch that the engine left the rails on account of the points not being properly closed, and this he was ultimately unable to refute.]

"Mr. *B. Hawkins.*] It was a very serious charge to make against the company, to say that the accident was due to defective permanent way, when it was unquestionably due to the improper closing of the points.

"Mr. *Hood.*] I believe the state of the sleepers to be very bad indeed from inspection after the accident.

"Mr. *Conacher.*] If the force of the engine was sufficient to bend heavy steel rails almost into semi-circles, what must it have done to sleepers?

"The *Chairman.*] You state that the sleepers were rotten.

"Mr. *Hood.*] That was my opinion.

"The *Chairman.*] You have put it before the Committee as a fact.

"Mr. *Hood.*] My idea was that the accident was caused by the defective permanent way, and that porter Humphreys was not to blame. I am very sorry.

"Mr. *B. Hawkins.*] Your justification is that you thought it better to try and make out that the accident was caused by the defective permanent way rather than that it was due to the improper closing of the points. And, one thing following another, you have been drawn into making these statements; and, finally, winding up by making most serious charges against the company.

"Mr. *Hood.*] Porter Humphreys assured me that he examined the points and that they were perfectly correct.

"Mr. *Conacher.*] That was for a train to go through the points in the Whitchurch direction, something like 2½ hours before the mail arrived, and it was the failure of the points to fall back into their proper position that led to the accident. The previous examination was of no use so far as it relates to the accident.

"Mr. *Hood.*] Porter Humphreys told me that he examined the points after the train.

"The *Chairman.*] You practically admit that the whole thing has arisen from a desire on your part to shelter Humphreys.

"Mr. *Hood.*] My desire was to screen the company from the Board of Trade because of Humphreys' long hours.

"Mr. *Conacher.*] You should not screen a defaulter.

"Mr. *B. Hawkins.*] It puzzles me that our agent, the agent of the company, should try to screen a defaulter. We do not approve of men being employed for 44 consecutive hours.

"*Chairman.*] Are there any other points you wish to make statements upon, Mr. Hood?

"Mr. *Hood.*] I can only say that I very much regret going before the Commission, but I felt the matter deeply, and I hope the directors will not dismiss me.

"Mr. *Conacher.*] The directors express no regret that you gave evidence, and you must understand that. You never received from me any intimation that you were to conceal anything, and I do not understand why you should attempt to hide an irregularity, if it really happened.

"The *Chairman.*] It appears that the whole object you had was to screen Humphreys, and that in doing so you followed up the evidence and gave out in black and white; 1st, that this man was on duty 44 hours; 2nd, that the permanent way was rotten; and 3rd, that that was the cause of the accident.

"Mr. *Hood.*] That is so.

"Mr. *B. Hawkins.*] And that now you are convinced that that could not have been so, and that the sleepers have no effect upon the question.

"Mr. *Conacher.*] This is not the first time that you have suggested that the accident was caused by defective permanent way?

"Mr. *Hood.*] I do not recollect any other time.

"Mr. *Conacher.*] Do not you recollect that when on my arrival on Sunday morning at the scene of the accident I asked you what could have caused the accident, you said you 'thought it was the state of the sleepers,' and my taking you to the points.

"Mr. *Hood.*] I do not recollect this. I remember going with you to the points, but recollect nothing as to the sleepers being remarked upon.

"Mr. *Conacher.*] Then why did you wait four years, instead of telling me on the spot? But I say you did suggest to me that that was the cause of the accident.

"Mr. *Hood.*] I thought it would be presumptious on my part to point out the cause of the accident.

"Mr. *Conacher.*] Did you ever make any other suggestion as to the cause of the accident.

"Mr. *Hood.*] I do not remember doing so.

"[Mr. Hood was here requested to read aloud a portion of his letter H. 6/784 of 18th November 1887, to Mr. Conacher, as follows: 'The new trap that has been put up by Mr. Cheeseman has been tampered with last evening by some person or persons unknown; the signals could not be drawn in, and a porter had to go down to the points to put the trap right. This looks very much as if the points had been tampered with on the morning of the 6th, after Humphreys examined them. I need hardly tell you that if there is a person who is guilty of such a thing as trying to thrown a train off the line it is a very easy matter for him to do it at the points without anyone knowing it.']

"Mr. *Conacher.*] That letter suggested that the accident was caused by someone tampering with the points, and admits that the position of the points was the cause of the accident.

"Mr. *Hood.*] I only pointed out that this might have been the case.

Mr. *Conacher.*] The two suggestions are inconsistent. We now come to the question of the 44 hours duty alleged to have been performed by Humphreys. You remember seeing this book (*producing the Block Telegraph Book*) and pay-sheet when I sent for you to Oswestry on 30th June last?

"Mr. *Hood.*] Yes.

"Mr. *Conacher.*] I showed you the book, and when this pay-sheet was produced, showing that Robinson was paid for duty on Friday night, I asked you to show in the book that Robinson had made the entries for that night. I asked you with regard to the handwriting and you said it was not Robinson's.

"Mr. *Hood.*] I said I thought it was porter Humphrey's.

"Mr. *Conacher.*] But you could not identify the handwriting of the entries made during the Friday night. That handwriting is the handwriting of assistant guard Stokes, and it is also the fact that Stokes was appointed to take duty on Friday and Saturday nights, and that he was there on Friday night; and Stokes could not be there as well as Humphreys and Robinson.

"Assistant Guard *John Stokes*, was called in, and said:

'The handwriting for the entries on the Friday night is mine. I was on duty that night from the arrival of the mail and took duty till seven next morning. I did not see Mr. Hood. Humphreys was in charge on my arrival, when he went off duty.'

"Mr. *Hood.*] I was not aware of it.

[*Stokes* then withdrew.

"Mr. *Conacher.*] You were informed by the inspector that Stokes was instructed to go to Ellesmere.

"Mr. *Maclure.*] Do you believe Stokes, and have you told the Commission a lie, or unwittingly said what was untrue?

"Mr. *Hood.*] I must have made a misstatement, and I am very sorry.

"Mr. *Conacher.*] Did you ever hear that Stokes was on duty?

"Mr. *Hood.*] I have no recollection.

Mr.

Mr. Conacher handed Mr. Hood the following telegrams, which he read:—

"Nov. 5, 1887. 11.50 a.m.
"From Conacher, Oswestry,
"to Hood, Ellesmere.
"Can you arrange for one of your men to take night duty to-night? Roberts to do so to-morrow night, and Stokes to resume on Monday. Reply."

"Nov. 5th 1887. 12.40 p.m.
"From Hood, Ellesmere,
"to Conacher, Oswestry.
"Reply.—I will arrange for one of my men to do night duty to-night. No night man is required to-morrow night."

"Mr. *Maclure.*] Do you mean to say that those telegrams are forgeries?

"Mr. *Hood.*] I do not recollect them.

"Mr. *Maclure.*] You could recollect before the Committee that you sent a telegram to Oswestry asking for relief.

"The *Chairman.*] You are quite clear that Humphreys was not on duty 44 hours?

"Mr. *Hood.*] Yes; but at the time I was convinced of the truth of what Humphreys told me.

"The *Chairman*] Just so; you have screened Humphreys, and now you see what it has got you to.

"Mr. *Maclure.*] No; it is to screen Mr. Hood himself from a gross neglect of duty, and he had better say frankly that the replies to the Select Committee, giving the thing in the way in which he did, were false.

"Mr. *Hood.*] When I made the statements I believed them to be correct, but Humphreys evidently was not on duty on the Friday night.

"Mr. *Conacher.*] Then you agree that my evidence is correct?

"Mr. *Hood.*] So far as can be proved by the documents and correspondence.

"Mr. *Conacher.*] You produced to the Commission a letter of mine dated 10th December 1887, to show that you were not blamed in connection with the accident. That letter only dealt with the porter's case. Your case was dealt with at the board meeting which followed on the 21st December, and I sent for you on 23rd December, and informed you that the directors had decided to remove you to some other station, following a report upon a similar accident four years before; and that with regard to signing the memorial, an order for suspension for a fortnight had been made.

"Mr. *Hood.*] I admit this.

"Mr. *Conacher.*] You were not suspended on account of the accident?

"Mr. *Hood.*] I do not remember it.

"Mr. *Conacher.*] But I told you that you were to be removed. We agree, then, that you were suspended on account of signing the memorial?

"Mr. *Hood.*] Yes.

"Mr. *Conacher.*] Was this a correct answer I gave to Mr. Pickard in reply to Question 6940: 'He had to suffer' (for signing the memorial) 'by the suspension, which by arrangement was not made public until to-day; but, with reference to the removal to another station, that was determined with reference to the accident, and the causes which led to it?"

"Mr. *Hood.*] I do not agree that that is accurate.

"Mr. *Conacher.*] Do you say that you were suspended and removed because of signing the memorial?

"Mr. *Hood.*] That was my impression.

"Mr. *Conacher.*] Now you state you were refused permission to give evidence?

"Mr. *Hood.*] I did not say that, Sir.

Mr. Conacher read Mr. Hood's evidence taken before the Select Committee as follows:

"(*Q.*) 9840. (Mr. *Channing.*) There was a circular issued as to the witnesses being free to come forward to give evidence; did you make an application to the company asking to be allowed to come forward as a witness?—(*A.*) I did. (*Q.*) 9841. More than once?—(*A.*) I made an application on the 27th of June and on the 1st of July, I think. (*Q.*) 9842. Did you receive any reply to those applications?—(*A.*) I received a reply to the first application, but no mention was made in it with reference to my giving evidence; the subject was entirely ignored; there were other subjects in my letter which were referred to, but the subject of my coming up to give evidence was entirely ignored in answer to the first application; I applied twice over to come."

"Mr. *Conacher* (*continuing*).] You received my reply to your first letter, in which I showed you that all my statements were true, and in which I wound up, 'These are the facts, and my evidence extracted from me unwillingly in cross-examination is in strict accordance therewith. There is nothing to correct, and I cannot consent to your communicating with the papers.' I could not give you permission to give evidence because you must be summoned for that purpose. The general manager of another company was severely cross-examined for telling one of his men that he must go before the Select Committee, and do not you think I was wise in not telling you to go up?

"Mr. *Hood.*] I was present when that happened to Mr. Birt, but what I said was that I had applied twice.

"Mr. *Conacher.*] But you had my circular. You left the Committee with the impression that you had not had the opportunity of going to London free of charge.

"Mr. *Hood.*] Yes, Sir. The impression I had was that you did not want me to go.

"Mr. *Conacher.*] But I could not say whether you were to go or not. As soon as you were summoned you had permission, and told to take a ticket, and that the fare would be refunded. Why did you not act upon my letter, and ask me to give you the money instead of asking for it from the Committee Clerk, as the report shows you did?

"Mr. *Hood.*] I did not see any harm in that.

"Mr. *Maclure.*] Did you know when you went to London that, by application to Mr. Conacher, you would get the money refunded?

"Mr. *Hood.*] Yes; I quite agree with that.

"Mr. *Maclure.*] But you went to the Committee Clerk and got the money from him, thereby trying to show that you could not get your money from Mr. Conacher.

"Mr. *Conacher.*] Now, I understand you had my letter of the 15th July in your pocket when you gave evidence."

Mr. *Conacher* read the letter as follows:—"As stated in my wire this morning, your telegram was dispatched too late to receive attention last night. You can have the leave asked for, and I enclose passes to Welshpool, but time does not admit of a ticket order being obtained (from Welshpool to London). If, however, you will let me know the number of the ticket taken I will apply for a refund. Relief Clerk Roberts will take charge of the station during your absence."

"Mr. *Conacher* (*continuing*).] And yet you went to the Committee Clerk and asked for that money which this letter promised you.

"Mr. *Maclure.*] The fact of the matter is this:—The Committee asked you whether you had to pay your fare, and you gave them to understand that was so. You were then taken to the Committee Clerk and the fare paid you, all the time knowing that you have that money refunded the moment you got home.

Mr. *Channing.*

583. That he gives no answer to?—No.

"The *Chairman.*] Well, Mr. Hood, we have now heard what you have to say, and shall report it on Tuesday next to the board; and they must come to their own conclusion."

[Mr. Hood was invited, if he wished to make any further statement, to communicate it in writing to the Chairman at the Euston Hotel in sufficient time to reach him before the board meeting.]

Chairman.

584. You are aware that Mr. Hood denies the accuracy of several of his answers as given in that report?—I am aware of it.

585. You are prepared, however, to produce the shorthand writer, and he is prepared to produce his shorthand notes?—Yes. Would you permit me to say one word as to what Mr. Hood said as to having been a marked man. In his answer to Question 6 he said: "Every little thing that went wrong, such as a few minutes delay to a train, was most carefully inquired into, and I and my clerks had to do the clerical work at another station, constantly going between the two stations." As to that I would say that it would be a curiously managed line where delays of two or three minutes to a train were not inquired into; but when I saw this I had a telegram sent to Oswestry as to all delays inquired into between the time Mr. Hood returned to Montgomery station and the time he left the service of the company, and they were four, namely, on 18th July, a delay of eight minutes; on 27th July, a delay of ten minutes; on the 28th of 30 minutes, and on the same date of 26 minutes. I have the cases all here, and if the Committee wish to see whether he was improperly treated with regard to that matter I shall be glad to leave them. Then upon the same subject I may say that Mr. Hood applied in Bank Holiday week for two days' leave to go into camp. It is a very unusal thing to give a station-master leave during Bank Holiday week, which is the busiest week upon railways. I wrote to him: "I agree to your having leave from Tuesday night, August the 2nd, to Thursday, August the 4th. I shall be glad to know whether Thomas can manage during your absence;" that is to say, he had the leave at once.

Thursday, 3rd March 1892.

MEMBERS PRESENT:

Sir Michael Hicks Beach.
Mr. Channing.
Mr. Radcliffe Cooke.
Mr. Crawford.
Mr. Flynn.
Mr. Alfred Gathorne-Hardy.
Mr. Herbert Gladstone.
Mr. Heneage.
Mr. Howorth.
Mr. MacInnes.
Mr. MacNeill.
Mr. M'Laren.
Mr. Maguire.
Sir Herbert Maxwell.
Mr. Milvain.
Mr. Muntz.
Mr. Murdoch.
Sir Joseph Pease.
Mr. Somervell.
Sir George Trevelyan.
Sir Henry Tyler.
Mr. John Wilson.

THE RIGHT HONOURABLE SIR MICHAEL HICKS BEACH, BART., IN THE CHAIR.

Mr. JOHN CONACHER, re-called; and further Examined.

Chairman.

586. I BELIEVE when the Committee rose on the last occasion you had not concluded what you wished to state to the Committee?—When the Committee rose on Monday I was pointing out, in answer to Mr. Hood's charge, that he had been a marked man after he had given evidence and before he was dismissed the service, that he had, among other privileges, obtained leave of absence during the Bank Holiday week upon his own application. I should like to add to that that Mr. Hood was the only person of the company engaged in the working of the traffic who had leave in that particular week; that is a week in which we, and I believe all companies, always refuse leave of absence, because the traffic at that time is so very heavy. Then Mr. Hood stated, in answer to Question 6, as another indication that he was a marked man after he gave evidence: "I and my clerks had to do the clerical work at another station, constantly going between the two stations." Now Mr. Hood gave evidence upon the 16th of July. I put in a letter here dated 30th June, 16 days before then, in which he says: "Illness at Forden Station. Sir,—If you will please send card pass for July for myself and Thomas" (that was one of his clerks), "who will go to Forden and do our best to get the work up." So that that work was undertaken voluntarily; it was not put upon him; and it was undertaken more than a fortnight before the evidence was given. Will you allow me now to refer to Question 29 of this Session's proceedings? Mr. Hood there, at the end of his answer to the question, says: "It is stated here" (that is in the notes of the Crewe meeting) "that I said 'I must have made a mis-statement if Stokes was on duty, and I am very sorry.' I dispute that statement. The words, "if Stokes was on duty," were introduced after a copy of the minutes had been sent to Mr. Hood; we did not introduce them; and if you will now turn to page 38 of Monday's evidence you will find the words at the bottom of the page, in the second column: "I must have made a mis-statement, and I am very sorry." That was the form in which the report left the committee of directors, and in which it was sent to Mr. Hood; so that, so far as Mr. Hood's denial of that statement, as printed on page 29, is concerned, it is not a statement which was made in the report as issued by the company.

Chairman – continued.

Mr. *Channing.*

587. Upon the point you are bringing before the Committee now you are aware that Mr. Hood, before the Committee on the 25th February this year, distinctly gave them to understand in a subsequent answer that he did not limit his disputing of your shorthand writer's report to words like "if Stokes was on duty," but to the whole statement?—I understood that, with the exception of the words he himself mentioned, he accepted the report as being a correct report. I think if you will look further on you will find that that is so. In answer to Question 67 Mr. Hood says: "I do not think I can put my hand upon anything I have said except what I agree with." A list has been prepared of the statements to which he disagreed, and that list will be shown to be in accord with the shorthand writer's notes.

588. I will not pursue this question further than this: are you not aware that in the subsequent questions to No. 29 Mr. Hood by the form of his answers distinctly is disputing the statement of your shorthand writer as covering the whole substance of that statement, and not one particular passage?—I do not read the answer to Question No. 67 in that sense.

589. I am talking of the answers to Questions from

Mr. *Channing*—continued.

from Nos. 30 to 37?—In answers to Questions Nos. 30 to 37 Mr. Hood mentioned certain specific answers which he said were not the answers he gave, and I noticed that in cross-examination, I forget by which honourable Member of the Committee, Mr. Hood was unable to say what answers he gave instead of those attributed to him, and what I am pointing out now is that with reference to one of those answers, the answer which he says was not the true answer, it was really not the answer which appears upon the official copy of the minutes of that meeting.

Chairman.

590. I understood Mr. Hood to say that he objected to the whole of that answer, that answer being reported to be, "I must have made a misstatement, and I am very sorry"?—Quite so. I only want to make sure that these words "if Stokes was on duty," were not words for which we were responsible. Then, in reply to Questions 68 and 74, Mr. Hood says that there was an omission from the official copy of the proceedings of the meeting at Crewe with reference to Davies the warehouseman. Now, if page 37 of Monday's proceedings is referred to, it will be seen that about the middle of the first column the reference to the warehouseman is given: "I went to the warehouseman and asked him if he would go on duty that night, but he objected to do so on account of the heavy nature of his own duties."

591. That, again, is not a matter of any great importance?—No, but it is one of the alleged inaccuracies which he has pointed out. Now there is only one more matter I should like to refer to in connection with Mr. Hood; that is, that in his answer to Question 122, Mr. Hood says: "Mr. Conacher had treated me in such a cruel manner that I could not depend upon his word;" that is a general charge; if it had been a specific charge I might have been able to meet it by correspondence; but I can only ask the Committee to allow me to say that I give that general charge a most unqualified and absolute denial. I say further that I have treated Mr. Hood with the greatest kindness and consideration; and I have here a letter from him dated the 9th of March 1889, which he wrote after the arrangement for his removal from Ellesmere to Montgomery had been carried out, in which he says: "I now desire to express to you my most sincere and best thanks for the kind consideration you have given to my case, and to say that I will do all I can in the future, wherever I may be sent to, to promote the company's interests to the best of my ability." The words "sincere and best thanks" are underlined. The next matter is that with regard to Kingstone.

592. But wait a minute before you go into the case of Kingstone; the pay-sheet which you handed in with reference to Stokes in which he claimed for pay and was paid for night duty for that evening, the 4th November, does not state how many hours he was on duty, I think; can you state how many hours he was on duty?—It states the night's work; he came at 10 o'clock, by the mail, to Ellesmere, and he left in the morning, I think, at seven.

Chairman—continued.

593. Could Stokes have made a mistake as to the night; he states it here "November the 4th;" could it have been any other night that he was on duty there?—It could not have been any other night for two reasons; first of all his handwriting appears in the block telegraph book for the night, that book being kept by the man on duty; the second reason is, that in the book kept by the timekeeper at Oswestry is an entry of his having sent Stokes to Ellesmere that night by the mail train.

594. Do you produce that book?—The book is in town and will be in the room shortly.

595. With reference to those telegrams which you state passed from Mr. Hood to you and from you to Mr. Hood in reply upon the Saturday morning, could his telegram have been sent by anyone in Mr. Hood's place?—Yes, it might have been. If Mr. Hood was not present at the station at the moment it could have been sent by his clerk or by whoever acted for him; but a letter which he wrote in reply to my inquiry about a month afterwards, shows that he himself received the telegram, because it describes what he did. That is the letter of the 16th December 1887; it is in answer to Question 573, at the top of page 35.

596. Was it Mr. Hood's duty to be absent from the Ellesmere station, and at any other station on that morning?—No, I believe not.

597. He had charge of another station, had he not?—He had not charge of another station. There was an old station-master at Bettisfield, a station about five miles distant, at which it had been the habit for the Ellesmere station-master who had two clerks, to render assistance with the accounts when it was otherwise impossible to give the old man assistance; and there were times at which Mr. Hood did that, as he did at Forden in the case I have just mentioned; but I do not know whether he was there on that day; he does not say so in his letter to me written upon the 15th December, but replies to my inquiry as if he had been on duty.

598. Assuming he was absent from Ellesmere station both when the telegram was sent and your answer to it was received, would his attention have necessarily been directed to that telegram and the answer at any subsequent time?—It ought to have been by whoever received it in his absence.

599. But would it necessarily have been?—Yes; it would have been the duty of the booking clerk to have called his attention to it.

600. Are the telegrams recorded in a book?—No; the forms of railway telegrams are sent in to the head office from the various stations, and after a time they are destroyed.

601. Then there would be no record at the Ellesmere station of the telegram?—No, not unless the telegram had been copied into the letter-book, which is not the ordinary course; telegrams are rarely copied except in the head office.

Sir *George Trevelyan.*

602. What was the first occasion upon which Mr. Hood knew the reason for which he was discharged?—Mr. Hood was not told the reason why he was dismissed when the notice of dismissal

Sir *George Trevelyan*—continued.

missal was given to him, because it was inferred from his letter to me just before the board met that he knew very well what he had done, and the order of the directors simply was that his services should be dispensed with. He was not distinctly told the reason until the meeting at Crewe, when the chairman told him in the words with which the report opens.

603. That is to say the chairman of the company told him generally that his dismissal was not because he gave evidence before the Select Committee?—That is so.

604. But that he must apply himself to justify that evidence; but where does the chairman state the grounds upon which the man was dismissed?—He does not specifically state them, but those grounds are brought out in the proceedings.

605. I have read the proceedings with great care; the man was dismissed, and upon the occasion when he came up to get an explanation, the charges were never stated; he was simply told (was not it so) that his evidence required justification and was heard to justify it point by point with interlocutory remarks on the part of his judges?—The proof of the falseness of his evidence was placed before him point by point and he was asked questions.

606. No, he was asked to justify his evidence, and it was he who had to state the whole case without having the specific charges placed before him?—That was undoubtedly so.

607. Now I have examined this report very carefully, as no doubt all the Committee have, and I would ask whether the grounds upon which he was dismissed were not three, namely, the action which he took with reference to his railway ticket; the statement which he made with reference to the sleepers; and the very important circumstances connected with the night duty of Humphreys. Those so far as I can make out are the three points; if there is any other I should be glad if you would state it?—The falsification of the pay-sheet.

608. I take that as a grave and complicated affair, the third charge. Now I will ask you about these three charges for a moment; the charge so far as I can gather with reference to the ticket is that he went to the Clerk of this Committee and got the money for the ticket instead of coming back to his duty and receiving it from the company?—Yes, representing in support of his statement that he was refused permission to come here and had therefore to pay his own expenses.

609. Did he represent that to the Clerk?—I cannot say what he represented to the Clerk; he represented to the Committee that he was not allowed to come up.

610. When did he represent that to the Committee?—I must go back to his evidence of last Session to show that.

611. Would you just read me the passage in his evidence?—If you will kindly refer to Questions 9837–9842, on page 490, in answer to the last question, he says he had applied for permission to come up and had had no reply; he says, "I applied twice over to come."

612. But what I want to get at is whether in applying for the money from the Committee instead of from the company he stated that it was on account of his appearing to be refused permission; because at present the fact that is quite admitted is, if it is worth anything, that he applied to the Committee for his fare; that is the first of the reasons for which he was dismissed; I want to know how that constitutes a reason?—I cannot say that that was why he was dismissed; that was a matter which came within the knowledge of the directors when they saw the Report of the Committee; and that he came to the Committee for his expenses, having the promise in his pocket on the part of the company to refund his fare.

613. But was not the ground upon which he was dismissed this, that he applied to the Committee for his fare?—I do not take it so.

614. I will put in the language of Mr. Maclure, the company's chairman: "Did you know when you went to London that, by application to Mr. Conacher, you would get the money refunded?—(Mr. *Hood.*) Yes; I quite agree with that. (Mr. *Maclure.*) But you went to the Committee Clerk and got the money from him, thereby trying to show that you could not get your money from Mr. Conacher." That is one of the three charges upon which he was dismissed; and I want to know what evidence there is that that was his motive?—I cannot tell what his motive was.

615. But that is the motive that one of his judges imputes to him?—I think you must ask Mr. Maclure with reference to that.

616. Then I will confine myself to saying that that is on the evidence; but Mr. Maclure states the same thing over again: "The fact of the matter is this:—The Committee asked you whether you had to pay your fare, and you gave them to understand that was so. You were then taken to the Committee Clerk, and the fare paid you, all the time knowing that you would have that money refunded the moment you got home." Now, does not that come to this, that Mr. Hood applied to have his fare from the Committee?—That is a fact no doubt, that he did apply.

617. That is what this charge does come to?—Yes.

618. I want for the moment to keep you to what I take to be the first of the charges; one of the charges for which he was dismissed was that he applied to the Committee Clerk for his fare?—I cannot say that it was one of the charges for which he was dismissed; it was a matter that was in the mind of the directors, but it could not have been a reason for his dismissal; because it was not until after he was dismissed that it came under the knowledge of the directors that his fare had been applied for here. The Report of this Committee of course was not issued until after Mr. Hood was dismissed.

619. But is it not the case that in this report of the Crewe meeting, which is all the opportunity Mr. Hood had of knowing why he was dismissed, out of eight columns something like two whole columns are occupied with this question?—That may be so; still it was not a matter which was in the knowledge of the directors at the time he was dismissed.

620. Then why was this brought in when he came to ask for the reasons of his dismissal?—I suppose the question was asked him because it

Sir *George Trevelyan*—continued.

was known that he had been promised by the company to have the fare allowed him, and he ought to have applied for it, as it was known to him that the practice of the directors was to refund fares paid under similar circumstances.

621. Then I would ask you whether the language the directors used on this occasion is the usual language which the directors employ towards a person in the rank of station-master, I might almost say a porter, when he comes to discuss a question of this kind?—It is very rare that any such person ever does come before the directors to discuss any such question.

622. Now the second point upon which Mr. Hood was discharged was that he stated that the sleepers were rotten; it comes to that. It is the case, is it not, that the whole of Mr. Hood's evidence given before the Committee last year is confined well within a couple of pages?—Yes.

623. The sentence to which exception was taken forming one of the three charges upon which he was dismissed, was this, was it not; he was asked at Question 9831, "What was your opinion of the cause of the accident;" and his reply was, "My opinion was that it was the fault of the permanent way; the permanent way was in a very bad state; the sleepers were very rotten; and that can be proved by a large number of people who came to the scene of the accident on Sunday; I could name amongst them one of the largest landed proprietors in Shropshire, Mr. S K. Mainwaring"?—That was what Mr. Hood said.

624. There was no cross-examination upon that statement?—No.

625. It was made once and for all?—It was made then by Mr. Hood.

626. This was another of the three points upon which Mr. Hood's proceedings before the Committee were considered to prove that he was not a trustworthy man. Now might I call your attention to your own evidence at Question 6866 (and pray believe that I put this question to you in all courtesy), "Is it true that the station-master was fined two weeks' pay for signing it?" that was the petition to reinstate Humphreys, and your answer was, "I do not think so; he was censured." There was a good deal of cross-examination on that point?—Yes.

627. You thought it out and you slightly corrected that; it turned out that it was not a statement to which you ultimately, with every respect, wished to adhere?—Yes, because the question was new; I did not know that it was going to be introduced, and in point of fact, I had forgotten all about the suspension, but as the matter grew upon me in the course of the inquiry I recollected the circumstances.

628. I am sure everybody who was present will recognise what was working in your mind the whole time; now this statement of yours represented what was upon the surface of your mind at the moment?—Yes.

629. Mr. Hood makes this one statement with reference to the sleepers, and my position is whether this was on the surface of his mind; you in a part of your evidence, which I was not referring to at the moment, stated that upon the day after the accident, I think it was, Mr. Hood

Sir *George Trevelyan*—continued.

called your attention to the state of the permanent way?—Yes.

630. Then you yourself admit that at the time of the accident Mr. Hood had in his mind the idea that this accident was caused by the state of the permanent way?—I do, but he denies it; he distinctly denies that he said anything to me about the sleepers at the time, and he denies it still; I say he did; but I put in last time a letter which he wrote the week afterwards, giving another explanation of the cause of the accident, attributing it to the points having been tampered with, so that, so far as Mr. Hood is concerned, he brings the charge with reference to the sleepers four years after the event, although I say he brought it at the time and subsequently made a suggestion inconsistent with that being the cause, and consistent with the Government Inspector's report.

631. Mr. Hood stated, without cross-examination just once and casually in this Committee, an idea which had been in his mind at the time of the accident; that is the question before us?—But he had two ideas in his mind at the time of the accident.

632. This was one of the ideas which he had in his mind?—Yes, it was one of them.

633. You stated without cross-examination an idea which you had in your mind, but which you were afterwards cross-examined upon?—Yes; but Mr. Hood came here to speak with reference to the state of the line, and I did not come here to speak with reference to his suspension. He had prepared himself to speak to the suspension; I had not, because as I said that suspension was carried out in a private manner last year, and no one knew anything about it until he let it out, because I kept it a secret.

634. The second cause of Mr. Hood's dismissal is that upon cross-examination in Committee he made one statement which was in his mind, and which after all had a right to remain there if he thought it a correct one?—But that statement was not at all made in the way in which my statement was made.

635. I do not complain of the way in which your statement was made. Now we come to the third charge, and upon that point I want to ask you one or two questions. If you turn to page 319, you will see you were asked, at Question 6740: "It is the fact then, as the man said, that up to October last, they were actually employed without any relief for 36 hours, once a fortnight?" and your answer was, "Yes, that is quite true?"—Yes, that is true.

636. I will not take up the time of the Committee with reading these questions and answers; but is the gist of that that for a considerable time men were employed for 36 hours at a stretch without your knowledge?—Yes.

637. For a very considerable time?—Yes.

638. For how long?—It had been going on on the Cambrian Railway for 20 years.

639. How did it come about that you did not know of it?—Because there was nothing on the pay-sheet to disclose it; the pay-sheet is made up every fortnight, and when men did work of that kind, it merely represented one day's overtime in 12 days, which is not an excessive amount to appear upon any pay-sheet.

640. I see

Sir *George Trevelyan*—continued.

640. I see that Mr. Hood's contention was that his desire was to screen the company from the Board of Trade because of the long hours, upon which you said, very properly, "You should not screen a defaulter;" and Mr. Hawkins said, "It puzzles me that our agent, the agent of the company, should say, to screen a defaulter, we do not approve of men being employed for 44 consecutive hours." Now 44 and 36 are not so very different, but it was the case that the directors had been unaware for a very long time that the men had been employed for 36 hours?—Yes, at certain duties.

641. Whose fault was that?—I blame the men themselves; the men would have had the system stopped if they had complained; I stopped the system myself at once when I heard of it six months before the inquiry.

642. But there was some one between you and the men; there must have been a great deal of screening as between the men and the directors?—It was a practice which the men did not object to; it gave them an opportunity of earning another day's pay very easily, and if it had been objected to we should have heard of it long before.

643. Still there must have been a great deal of screening in order to keep from the eyes of the directors, who, according to Mr. Hawkins, greatly disapproved of it, this system which was so general?—No, not that.

644. Which was of long standing?—Yes.

645. There must have been a great deal of screening?—The matter was never brought to the knowledge of the directors, undoubtedly.

646. In order to keep it from the knowledge of the directors and of such a manager, as I believe you are, that screening must have taken a form very like deception?—If you put it as a system to which the men objected, it, no doubt, is open to that mode of describing it; but as I said before it was a system to which the men never objected until——

647. But I put it to you that it could only have been withheld from your knowledge, and that of the directors for so very long a period by a system under which there was some deception?—No doubt the directors might have made other arrangements; but the directors having appointed the men to do the work, the men sent in their claims to the station-master, and they were paid.

648. My point is whether it could have been concealed from the directors without deception, and as long as that deception is admitted, that deception being part of the system, it was as necessary that it should prevail at the station at which Mr. Hood was in charge as at any other?—That system of working these long hours prevailed less at that station than at any other.

649. And the deception?—It was not intentional deception; the men were paid what they asked, and it was never brought to the manager's notice.

650. Then upon the third charge, Mr. Hood was punished for what was the system in other stations?—I cannot admit that.

651. I draw that inference?—I cannot agree to it.

Mr. *Howorth.*

652. Who was the shorthand writer who took the notes; is he in your employment?—He is in the manager's department.

653. Were the notes read over to the station-master?—Not at the time.

654. Not at the time at all?—No.

655. With reference to those entries which have been produced here, was it your practice to make those entries upon the day upon which the transaction happened, or were they sometimes entered at a later time?—You mean the block telegraph book?

656. Yes?—At the time, because unless put in at the time, the times at which the various signals were given could not be recorded.

657. You insisted that those entries should always be made at the time?—Yes.

658. So far as you know there is no irregularity; they could not have been made a few days afterwards?—They could not, because the station-master's duty is to examine the book every day and to initial it is as correct, and that book you will find is initialed by Mr. Hood as examined and found correct by him.

659. Now what was the actual date of the dismissal of this man?—The 7th of August, I think.

660. And you say that upon the date of that dismissal the directors had no knowledge whatever of the application to the Clerk of this Committee for the two days' expenses?—That was so.

661. Therefore it was impossible that it could have been a cause of the dismissal? It was impossible that it could have been in their mind at all.

662. Did you say that the statement which was made before the Committee as to the cause of the accident was the original statement made by Hood, which he afterwards qualified in a letter to yourself?—No, he did not qualify that in the letter. At the meeting at Crewe he denied that he had made that statement to me originally at the time of the accident.

Mr. *Crawford.*

663. Where is that to be found?—You will find it on page 38 of your proceedings of this year.

Mr. *Channing.*

664. His words are: "I do not recollect;" he does not deny it at all; could you point to any other statement than "I do not recollect"?—He repeats that over and over again, and adds, that I took him to the points: "But I recollect nothing as to the sleepers being remarked upon."

Mr. *Howorth.*

665. Granting that that was so, that he made a statement to you originally that it was the sleepers being faulty which caused the accident, and granting that afterwards he was convinced that it was due to the points, do you think it was a fair ground of dismissal that he should have reverted afterwards to his original view?—I think you must ask that question of those who had the responsibility of dismissing him; he knew perfectly well that imperfection of the sleepers was not the cause of the accident, because otherwise he could have had no motive in writing the letter

Mr. *Howorth*—continued.

which he did, suggesting that someone had tampered with the points.

666. With reference to the third point, I understood you to say, in answer to Sir George Trevelyan, that it was the men's own desire that they should work these long hours, which led, in fact, to the continuance of the practice; but is it not the duty of your station-masters to report to you all such cases, in order to prevent the men from working long hours simply for their own advantage?—It is now, since attention has been called to it.

667. Was there no such order previously?—No, not previously.

668. Was it not their duty previously to report to you if a man had been working 36 or 40 hours continuously?—Not to report to me, but it was their duty to pay the men for overwork.

Mr. *Channing*.

669. To pursue the sleepers for a moment, I think you stated that the points were at some little distance from the sleepers in question?—Yes.

670. The sleepers were not directly connected with the points?—There were sleepers under the points. What I said was, that at the points and for two waggon lengths beyond the points the sleepers were not disturbed, they remained in the road, and I find from Colonel Rich's report that two waggons remained standing intact upon the line at the place where the points were.

671. Then it is perfectly possible that both causes may have contributed to the accident, is it not?—But the sleepers were in the road to be seen.

672. I do not understand that answer?—Assuming the sleepers were bad at the points too, they would also have been misplaced, whereas, as a matter of fact, the sleepers for two waggon lengths from the points were untouched, and were in the permanent way when Colonel Rich examined it and pronounced it to be in good order.

673. You admit that in Mr. Hood's examination he stated that he did not recollect ever having brought to your knowledge the condition of the sleepers?—Yes; that is in our report.

674. I will ask you this general question: Mr. Hood states that the cause of his dismissal was not clearly stated to him at the inquiry at Crewe, but was stated to him by yourself afterwards?—That I absolutely deny.

675. You deny that you made any statement to him after the meeting or at any period previous to the meeting which explained to him the causes of his dismissal?—I do.

676. To what do you attribute his dismissal?—That answer the chairman of the company will be prepared to give you. I may say that I had an interview with Mr. Hood, after the meeting, at which I expressed to him my regret that he should have got himself into this unpleasant position through the wilful misrepresentation of the state of matters which he had made, knowing well, and having the opportunity of knowing well, what the documents of the company disclosed; but I never said what he was dismissed for.

Mr. *Channing*—continued.

677. Does not your statement now amount to a statement that he was dismissed for a misrepresentation in his evidence of what had occurred?—I told him of my own regret that he had got himself into this unpleasant position through what it was clear to me and to others was a misrepresentation, after he had been given the fullest opportunity of knowing what the facts were.

678. After his dismissal in August, you had, I presume, the proof of his evidence before the Select Committee?—Yes.

679. You referred to the fact of not having the whole Blue Book before you; but that answer merely referred, I presume, to the entries of the payments of the railway fare by the Clerk to the Committee?—Yes.

680. You admit that the whole of the evidence given by Mr. Hood was in your possession, and in the possession of the directors, when you dismissed him?—Yes.

681. And was he dismissed on account of that evidence?—That is a matter upon which I must request you to ask the chairman of the company, who has come prepared to tell you.

682. Did you advise your board upon this point?—I did not upon this particular point. I made up my mind, when I came up to give evidence, that if any of the men committed any breach of the regulations I should not deal with the case at all, and I have pursued that course.

683. Then you decline to state whether he was dismissed on account of his evidence?—Yes.

684. What is the use, then, of your challenging parts of his evidence?—I have come to show what the facts were, and the grounds upon which the directors acted.

685. Then the directors did dismiss him in consequence of his evidence?—They will be able to tell you as to that; I come to tell you what the facts were.

686. Then you state that Mr. Hood was not justified in his last replies before the Committee on the 16th July in saying that you did not give your consent to his coming before the Committee?—When Mr. Hood came to Oswestry, and assisted to prepare the return of Humphreys' time, I told him that there had been a question put to me with reference to his suspension, and I explained to him what the facts were, and told him I was sorry that he had mentioned it; I had kept it secret. I wrote him afterwards, and this is his letter, in the answer to Question 579: "With regard to what you told me yesterday, I was very much astonished at what you told me," and so on; that was as to the matter having become public. Then he describes how it became public, and he asks me to give him leave, and to arrange for his coming here to correct a statement which he said was wrong.

687. In your reply to that, did you refer to anything except the correctness of your description of the facts?—Nothing else.

688. You did not refer to his coming before the Committee?—He did not refer to anything except that matter concerning the suspension; he did

Mr. *Channing*—continued.

did not ask for leave to come before the Committee, or anything else.

689. Did he not state that you had stated something of him which was incorrect, that he had asked your permission to come here and give his version of the facts, and you replied by giving your reasons for giving your version of the facts, but did not refer to his application to come and give evidence before the Committee?—I could not say anything about his coming before the Committee. I had already sent him a circular, which I think no other company in the country did, giving our servants permission to come before the Committee if they wished to do so. Mr. Hood wrote me asking whether he was suspended for signing the memorial, or in consequence of the accident. I explained to him that what he had said was wrong, and that I was right; and I wrote again to tell him I had said nothing which I wished to correct, and that I could not agree to his writing to the newspapers.

690. The fair inference to be drawn from your letter was that you expressed your dissent to his coming before the Committee. Practically your reply was to the effect that he was not to come before the Committee, was it not?—I gave him no reply to that effect at all. If Mr. Hood had said, "I want to come up to give evidence about Humphreys or the state of the permanent way," I should have taken a very different course; I should have referred him to the circular; but he said nothing to me about asking to come here except upon the point upon which he said I was wrong.

691. Why did you not refer him to the circular, and say that he was as free as any other man was to come and give evidence?—I might have done that; but he was as free to come and give evidence as any other man.

692. The pay-sheets and the time-sheets, you assert, are made up day by day, and initialed by the station-master day by day, and sent in, I presume by the superintendents, to the goods manager's office?—No; what is certified by the station-master day by day is simply the correctness of the block telegraph book, when there is the block telegraph at their station. The pay-sheets are sent in once a fortnight. The station-master makes up his pay-sheets, and certifies to their accuracy.

693. He makes them up in the items that are required to be made out of the "line clear" book?—But that would affect only one man in the staff, the man who happened to be doing that work.

694. Do you really mean to say that these pay-sheets, showing these enormous hours all over the line, were never during those six years brought to your notice?—I was always objecting to the overtime in the total, but not in detail.

695. Will you answer the question: were the pay-sheets which showed that these men worked 36 and 40 hours ever during those six years brought to your attention?—They never were.

696. Do you think your line, then, was managed in the way in which most railway lines were managed?—I think if the work which the men did had not been very light it would have been brought to my knowledge, but it was

Mr. *Channing*—continued.

because it was light that it was not complained of, and was never brought to my knowledge.

697. You came before the Committee last year to contradict a sworn affidavit by one of the porters at Ellesmere station with regard to how many hours he worked; and you made a statement before this Committee (I ask you this advisedly) without furnishing yourself with the necessary proofs from the "line clear" book, or the pay-sheets; without producing them, and without telling the Committee that you were not able to produce them?—I told the Committee that the book could not be found.

698. You told the Committee you were sure that the night men had been on duty?—I was misled by the false pay-sheet which Mr. Hood had prepared, which showed that the night man, Roberts, had not been on duty on the Friday night. I could not help being misled by the pay-sheet, when the pay-sheet itself was false.

699. But you made this statement apparently without knowledge, and after having ascertained a short time before that these enormous hours had been worked for years and years in the Oswestry station without your knowing anything about it?—The proof was in the pay-sheet; but I did not know that it was false then; it was not until Mr. Hood wrote to me, after giving evidence, to tell me I should think it very strange that he should have said Humphreys was on duty 44 hours, that I was led to make further inquiry which disclosed that the first night Humphreys said he was there——

700. But you do not dispute the evidence as to these enormous hours being worked at those stations upon the line?—I say that is not a proper state of things; but a manager cannot be everywhere upon the line, and may not be informed in all cases.

701. When were you first made aware of the fact, which you stated in your evidence last year, that Humphreys had six times during the preceding year gone through 36 to 38 hours at a time, once a fortnight?—I could not say until I saw the papers.

702. But you were aware at that time that he had been on duty for that time?—When his affidavit was sent up, the matter was inquired into, and I called for a return of the overtime which had been paid to him, and that return was prepared; and I had it before me, undoubtedly, when I came before the Committee last year, and I stated the facts which it showed.

703. You produce guard Stokes, I think?—Yes.

704. Are you aware what hours he has worked upon your line?—He is here to tell the Committee whatever hours he did work.

705. Has it been brought to your notice that he has worked long hours?—Yes, I have no doubt he was one of the men who took this extra duty about once a fortnight.

706. You are aware that the smallness of the staff at Ellesmere must have made it not at all unlikely that these entries were not made exactly at the time of the passing of the trains?—If they were not, it was a very grave irregularity on the part of the station-master to permit it.

707. You are aware that ticket collectors

Mr. *Channing*—continued.

have frequently to go from one platform to another?—There is no ticket collector there.

708. Then the booking clerk; who collects the tickets?—Sometimes it is a porter, sometimes the booking clerk.

709. The booking clerk had to make these entries, and he frequently had to discharge the duties of collecting tickets on both platforms?—On all single-line stations where there is no signal-box, very often the booking clerk, when the signal is given, makes the entry if the station-master is not at hand, or the porter whose special duty it is; and the book I put in will show you various handwritings in confirmation of that.

710. You stated that Mr. Hood was reprimanded by the previous manager of the line with reference to a similar accident which occurred in the year 1883, at the Ellesmere station?—Yes; a similar accident.

711. Can you produce any copy of the minutes with reference to that?—I had last year a copy of the report which the manager submitted to the board at that time; I have not it now, but it was referred to at the meeting at Crewe.

712. How was it that the accident was not reported upon by the Board of Trade?—The accident was not to a passenger train.

713. Is it true that in September last year a similar accident happened at a station on your line, which I will not name, because I do not wish to bring the station-master into any reference before this Committee, and that the station-master received no reprimand from the company?—Yes it was at the Ellesmere station; I say so at once; it was the first occasion on which an accident had happened at a station under the charge of that agent, and it was clearly shown that the examination of the points had been attended to by him personally from time to time.

Mr. *Somervell.*

714. Do you know what Mr. Hood was dismissed for?—I have these notes before me, and I can gather what conflict there was between the statements he made here and his actual knowledge.

715. But I ask you the question; do you know what Mr. Hood was dismissed for?—I should wish the chairman rather to give evidence upon that point.

716. I wish to have it from you first. I want you to give a direct answer to the question?

The Chairman intimated that the witness was justified in declining to answer the question, seeing that the chairman of the company was awaiting examination.

Mr. *Somervell.*

717. Mr. Hood gave his evidence upon the 16th of July?—Yes.

718. What was the first action taken after that evidence?—No action was taken at all until after the directors met.

719. When was that?—That was, I think, the 6th or 7th of August.

720. Previously to that had you done anything with reference to Mr. Hood's action?—No.

721. Had you made any inquiry at all?—No; except that I had found in the interval that Stokes had done the work upon the first night.

722. Upon the 6th or 7th of August what took place?—The directors considered the matter.

723. Did you make any statement?—No, except the statement that I am making now; I put the documents before the directors.

724. Did you make any statement beyond putting the documents in?—I did make a statement latterly.

725. To the directors?—Yes.

726. Was that merely with reference to the evidence which Mr. Hood had given before the Committee?—It was in reference to the Papers I put in.

727. Was it in reference to the evidence of Mr. Hood?—It was in reference to Mr. Hood himself.

728. You were aware that Mr. Hood's case would be considered before the directors?—Yes.

729. Who informed you?—I knew it because several of the directors had made inquiry about the facts of the case.

730. Did any of the directors ask you to make inquiry as to the facts of the case?—I do not know that they did; but as a matter of fact, I should necessarily have been prepared upon the subject.

731. Is there any minute of that meeting of the directors with reference to Mr. Hood's case?—There is the order.

732. The order of dismissal?—Yes.

733. That is the whole minute?—Yes, after full consideration of the whole matter; I will put it in as soon as it is found.

734. Will you turn to Mr. Hood's evidence, beginning at Question 9817: Questions one and two I apprehend you will admit to be true; then, in answer to the third question, Mr. Hood says he wishes to make certain statements especially with reference to your evidence on the subject of the accident; now the next ten questions, from Questions 9820 to 9829 inclusive, are wholly in reference to the matter of his suspension?—That is so.

735. At Question 6866 of your own evidence, you were asked, "Is it true that the station-master was fined two weeks' pay for signing it?" that was the Humphreys memorial; and your answer was, "I do not think so; he was censured." Then again, at Question 6904, you were asked by Mr. Wilson in cross-examination, "I want to ask you a question arising out of that accident that Humphreys was in. The impression left upon my mind was that the station-master was not censured or punished, simply because he petitioned in favour of Humphreys;" and you answered to that "No"?—Yes.

736. You now admit that, no doubt owing to the failure of memory, these answers of yours were not correct?—I corrected them a few minutes afterwards.

737. So far as regards the ten answers that Mr. Hood gave to the ten questions put to him, to which I have called your attention, he was absolutely speaking the truth?—I have said so before.

738. I am

Mr. *Somervell*—continued.

738. I am not questioning what you have said, because the Committee do not know what portion of the evidence Mr. Hood saw in the newspaper. I am only pointing out that you corrected one point in your evidence, and that with regard to these ten questions Mr. Hood was absolutely correct in his answers?—Yes; he was suspended for signing the memorial undoubtedly.

739. The next two questions are in regard to the cause of the accident. Question 9830 begins: "What else do you object to in Mr. Conacher's evidence?—(*A.*) His description of the accident itself. My opinion, and the opinion of those who saw the accident, was that the porter in question was not to blame at all. (*Q.*) But that was not the opinion of the Board of Trade Inspector, or of the directors of the railway; what was your opinion of the cause of the accident?—(*A.*) My opinion was that it was the fault of the permaway." Now, on the 6th of August, when you had had your interview with the directors, it was your opinion that Mr. Hood had told you upon the day following the accident that that was the reason?—Yes.

740. Did you tell that to the directors?—I cannot remember.

741. It was very material?—I cannot remember.

742. Here is the most material point as to Mr. Hood's *bona fides* in this answer, and you are not prepared to say whether or not you kept back from the knowledge of the directors the important fact that that had been Mr. Hood's original opinion?—No, I cannot remember that; but I remember the letter of the week afterwards; and I must also have told them that he at first attributed the accident to the state of the permanent way.

743. But you will not swear one way or the other?—No, I believe he mentioned both.

744. Although it was very material as to his *bona fides*, you cannot remember whether you brought that before the directors, or not?—I cannot charge my memory, but I believe I did.

745. If you look at Mr. Hood's letter, all it goes to is that he does not say it might not have been, but all he says is: "This looks very much as if the points had been tampered with on the morning of the 6th, after Humphreys had examined them"?—Yes.

746. But there is no retractation in that letter of the original opinion he had expressed to you at the time of the accident?—No, but I remember that at the time I received the letter I looked upon it as a letter similar to the previous one, designed to throw the blame off his own staff.

747. But there is no retractation of his original opinion?—No, there is not; he does not refer to his original opinion.

748. You were aware that he was not allowed to show that he was of that opinion, and other people as well, because the Right honourable Chairman stopped him. Then the next four questions, beginning at 9832, relate to the point as to how long Humphreys had been on duty. Now, I want to ask you one or two questions in regard to that point: first, with reference to this pay-sheet, was it the pay-sheet of the extra pay?—Yes.

Mr. *Somervell*—continued.

749. There is one day put down to Robinson, and one to Humphreys?—Yes.

750. Humphreys would get, for the night of the accident, an extra day's pay?—Yes.

751. Robinson is put down for another day's pay?—Yes.

752. In your opinion, did neither Humphreys nor Robinson work for that extra day's pay that is given?—They did no duty of the nature that is described in the pay-sheet, that is clear, because Robinson's writing does not appear in the book, and we afterwards learnt that Stokes was actually there.

753. There is nothing in the pay-sheet, except the fact that he did an extra day's work, and that he got an extra day's pay for it?—Yes; you will see "Night man at Welshpool," in the next column (*pointing to the pay-sheet*).

754. But in whose handwriting is that?—In Mr. Hood's.

755. What does that mean?—Taking the place of the night man who was doing duty at Welshpool.

756. Then according to this pay-sheet, there is no one who received the extra day's pay for this night at all?—No, not on the Ellesmere sheet.

757. According to this pay-sheet, whoever did duty for the night previous to the accident, did not get pay for it at all?—Not upon that pay-sheet.

758. Is there any pay-sheet upon which any man got paid for doing duty that night before the accident?—Yes, there is; this is the entry upon the Oswestry pay-sheet for the same fortnight (*producing to the same*): "J. Stokes, 2½ days."

759. I want to point out to you, I probably took it up wrongly, that Robinson had been paid for doing duty at that station upon the night before the accident?—Yes, upon Mr. Hood's representation.

760. You say he was not paid for that, but was paid for doing duty at Welshpool, which is a totally different station?—I beg pardon; I said and say again that Robinson was paid for doing duty at Ellesmere on the Friday night.

761. You told me distinctly, I thought I understood it, in this cross-examination, that "Robinson, night man at Welshpool," meant that he got paid for doing duty at Welshpool?—No, the night man's name was Roberts, and he was absent at Welshpool, and Robinson discharged his duty at Ellesmere according to the pay-sheet.

762. There is nothing upon the Oswestry pay-sheet, is there, to show where Stokes was during those two-and-half days?—That memorandum which I handed in on Monday shows his application.

763. But there is nothing upon his pay-sheet to show what he did in those two-and-half days?—No.

764. When did you discover this?—When Mr. Hood wrote to me, saying that I would think it very strange that after seeing the pay-sheet, that he should have given the evidence he he had done.

Mr. *Somervell*—continued.

765. That was after he gave his evidence?—Yes.

766. That was the pay-sheet asking for a day's pay for Robinson, at Ellesmere?—Yes.

767. You had, at the same time, paid an extra day's pay to Stokes?—Not at the same time, it was after that; but they were paid at the same time.

768. Whoever paid the money was aware that two men were paid for doing the duty at Ellesmere the same day upon the line?—Not "was" aware, but "ought to have been."

769. Stokes writes to be paid, and ought to have been paid, and at the same time the station-master sends in a claim for Robinson, so that it is clear that whoever had to check these pay-sheets had it drawn to his attention that two men were paid for doing the duty upon that night?—No; because the Oswestry pay-sheet does not point out what the overtime was paid to Stokes for.

770. But he had paid Robinson upon his return?—That was upon the claim of the Ellesmere station-master for Robinson.

771. Do you mean to say that Stokes was paid without any verification of his claim?—He was paid upon the certificate of the Oswestry station-master, just as Robinson was paid at the request of the Ellesmere station-master.

772. No attention was drawn until some time in the beginning of August of last year, to the fact that two men had been paid for doing duty at Ellesmere that night?—Because the pay-sheets did not describe what they had been doing.

773. You say now that there was only one man on duty?—That was so.

774. That neither Humphreys nor Robinson was on duty as well as Stokes?—Yes.

775. After you gave your evidence, and before Mr. Hood came up, you had an interview with him upon the 30th of June?—Yes.

776. That was between your evidence and his?—Yes.

777. At that interview you showed him this paper?—Yes.

778. And you asked him to point out Robinson's writing in this book?—Yes.

779. Did he say to you it was not Robinson's writing, but that he thought it was Humphreys'?—Yes.

780. So that when he came before the Committee he had never had his attention drawn to the fact that it was Stokes?—But after that I sent night man Roberts to assist Mr. Hood to make clear who had done the work, and said it was Humphreys' writing. Mr. Hood went away with a different impression, as you will see from the letter he wrote me after he came back, because he called special attention to the fact that he said Humphreys was on duty, knowing what that book showed.

781. But what I want to get at is this: Upon the 30th of June Mr. Hood was shown this book; he stated his opinion that the handwriting was not Robinson's, but that it was Humphreys'?—He thought so.

782. And he came to give the Committee evidence upon the 16th July without anything having occurred to make him alter that opinion?—Oh yes; when the night man came later, upon the 30th, I stopped the meeting,

783. What meeting?—Will you allow me to refer to the evidence of Monday? You will see exactly what took place. In answer to Question 555, I stated: "Mr. Hood could not speak with certainty either as to the handwriting or as to the hours of duty of Humphreys during the week. I said to him: 'Will it be of any assistance to you if I send for the night man, Roberts?' who was on duty that week, with the exception of those two nights; he said he thought it would be, and I therefore put off the meeting two or three hours and sent for Roberts, and when Roberts came he was able to recall the matter to Mr. Hood's recollection, and the Table, which was sent to the Committee and is appended to the Report of last year, is the Table which was prepared in consequence." And Mr. Hood said when that second meeting took place: "It is quite clear that Humphreys was not on duty on the Friday night."

784. But I do not see in this interview that you had with the directors a single attempt to set up that. You had this interview with the directors upon the 30th of September, at which you were present with Mr. Hood, and you did not make a single allusion to this fact; all that is stated in the report of what took place before the directors is this:—You said: "I showed you the book, and when this pay-sheet was produced, showing that Robinson was paid for duty on Friday night, I asked you to show in the book that Robinson had made the entries for that night. I asked you with regard to the handwriting, and you said it was not Robinson's. (Mr. *Hood*). I said I thought it was porter Humphreys. (Mr. *Conacher*). But you could not identify the handwriting of the entries made during the Friday night? That handwriting is the handwriting of assistant-guard Stokes." You did not say in that interview with Mr. Hood a single syllable of what you are telling the Committee now?—No, because we had the man Stokes at hand ready to be brought in to show whose handwriting it was; there was no need to argue the matter with Mr. Hood when we had Stokes himself ready to be produced.

785. But it is a question of the *bona fides* with which the statement was made. Mr. Hood having given evidence upon the 16th of July before this Committee you allow the statement to go before the board of directors that you had had an interview with him a fortnight before that date in which you showed him certain entries which he thinks were Humphreys'; you allow that statement to go before the board, and you do not allow him to state that he has changed his opinion in the slightest degree?—But I had the evidence then of the actual writer of the entries in the book.

786. It is not a contradiction as to fact, but it is a question as to the *bona fides* of Mr. Hood's evidence?——

Mr. *Milvain*.] It is a question of the falsification of the pay-sheet.

787. The

Mr. *Somervell.*

787. The question is whether certain evidence given before us is *bonâ fide* or not. It appears from the interview between you and the directors that you had shown him a fortnight before he gave his evidence a book in which entries were made, which, in his opinion, were made by Humphreys?—Yes.

788. But you did not state that he altered that opinion?—That matter was clearly dealt with when Mr. Hood came to see me.

789. This is the very first time that we hear of any such statement in your evidence given before this Committee. There was a material point before the directors that you did not bring to their notice; you say this was Stokes' handwriting, but you do not say that Mr. Hood was telling an untruth when he said that he left you practically upon the 30th of June with the impression that that was Humphreys' handwriting?—I might have strengthened my statement no doubt, but I had something stronger to bring forward, that was the man himself.

Mr. *Milvain.*

790. You had your trump card in your pocket?—That was so.

Mr. *Somervell.*

791. At any rate I may take it you allowed the directors to draw the conclusion that Mr. Hood gave that evidence after he had seen the book in which he had seen what he thought was Humphreys' handwriting with regard to this night?—Yes, except that afterwards Mr. Hood modified his opinion very distinctly, and said it was clear from the pay-sheet that Humphreys was not on duty.

792. He does not say that he said he thought it was Humphreys' handwriting, although Robinson was paid, and you do not contradict it; now who made these red ink marks in this volume (*exhibiting the block telegraph book*)?—I did.

793. I see you have made a red ink mark here, and then taken it out?—Yes, I did that to enclose the portion of the entries which related to the night's work.

794. You have underlined certain things in red ink, I suppose, with some object; what is that cross, and what is that circle round that 10*s.* 6*d.*?—Because that is not Stokes' handwriting; he will be able to tell you who wrote that.

795. Will you look at these two words "Goods;" there are two written inside, and there are several written outside the red marks; in whose handwriting are they?—There are several different handwritings.

796. Looking at the two "Goods" (*pointing*); do you mean to say those are in different handwritings?—Yes, I think so.

797. Will you show the distinction?—I show this distinction in the loop of the "G," the loop of the "G" extends upon the left hand a little, and it does there also (*pointing to the book*), but of all these other "G's," not one of them has this commencing loop; one "G" appears to differ from the other.

798. Your opinion is that the two "Goods," which are written in the space when Humphreys was not on duty, are different from the "Goods"?—Quite so; I think the form of the capital letter is very different.

Mr. *Somervell*—continued.

799. Are those two other instances in the second line below the red mark in the same handwriting (*pointing to the book*)?—No; I should say they are different. The form of the capital letter is very different.

800. Is there not a greater difference between those two "Goods" than there is between the one that I called your attention to first, and either of these?—I am not an expert in handwriting; but I must say that the beginning loop of the capital "G" in the enclosed space is a very different beginning from that of the "G" further down.

801. Your opinion is that there is quite as much, if not more difference between the two "Goods" in the second line below the red line?—Yes, in reference to the day-work at a place where there is no signal-box, there may be a good many different handwritings, but on night-work, where there is only one man on duty, there should be no difference, and there is no difference, I say, except in that instance where the figure is enclosed, which Stokes will tell you about. I think many of these figures (*pointing to the book*) are in Mr. Hood's handwriting.

802. You do not set up that all these are Humphreys'?—No; all I attach importance to is the space enclosed between the red lines.

803. But I want to point out to you that there is as much, if not a greater difference in the handwriting in the space you mark off as "Humphreys on duty," than there is between either of those handwritings at the part which is enclosed as being Stokes' time on duty?—That must be so, because during the day-time the block telegraph instrument being in the booking office may be worked at a time when the station-master is not there, then the booking clerk would attend to it, or it may be at a time when the porter only is there, and he would attend to it; therefore, I should expect to find different handwritings during the day working.

804. What I want to get clearly is that you do not allege that either of the figures in between those two lines is in Humphreys' writing?—I could not say; I have not looked at the day working, because the question does not arise. Humphreys' and Robinson's handwritings are very much alike, as the pay-sheets show, and there is a difficulty in distinguishing between the two.

805. Do you call those two signatures of Humphreys' and Robinson's very much alike?—Yes, in many features. There is no doubt that these (*pointing to the book*) are Humphreys' entries; it is quite clear to me that they are; that is Humphreys', "Goods, 11.41."

806. Which is Robinson's?—I should think that is Robinson's (*pointing to an entry*).

807. In your opinion, both those words "Goods" that are written in the space enclosed, which is, "H. not on," are, in your opinion, Stokes' handwriting?—Yes.

808. And all the figures are?—Yes, except that one enclosed.

809. And all the other writing?—Yes, I think so.

Mr. *Somervell*—continued.

810. Do you give that as your opinion from the figures and handwriting themselves, or in consequence of what Stokes has told you?—I first of all formed my conclusion from the comparison of the documents; then I sent for Stokes, and asked him if that handwriting was is.

Mr. *Milvain.*

811. And he admitted it was his?—Yes, and he is here to say so.

812. Did you make that red mark before you saw Stokes, or afterwards?—Before I saw him; that was to shut out altogether the trains which should have been attended to by him from those that he ought not to have attended to.

813. What is the object of the other red line?—To shut off the previous line.

814. Who would be on duty then?—Mr. Hood or the booking-clerk.

815. And Humphreys would be on duty?—Yes, he would be under that, and over that.

816. Whose duty was it in those two spaces to have made the entries?—In the first instance, the station-master.

817. The whole of them?—Yes, he was there, or the porter, if he was not in the booking-office.

Mr. *Milvain*—continued.

818. And whose duty here (*pointing to the book*)?—That would be in the same way.

Mr. *Channing.*

819. Have you looked at the word "mixed" in this line?—Yes.

820. Do you not see a very distinct resemblance between the word "mixed" and Humphreys' writing?—No, I think the letter "m" is a very different letter, and the whole writing much more angular than any you will find in the day working.

Mr. *Somervell.*

821. In your opinion, are those two words "goods" written by the man who wrote that document (*exhibiting Stokes' application for overtime*)?—I cannot say, because there is no "G" in this document of Stokes', but I can only answer your question by saying that I do not think those two "G's" at all correspond in writing to the writing of the "G's" below.

822. I showed you Stokes' handwriting, and again I ask you whether you are prepared to state positively, after refreshing your memory, that those two "Goods" are written by him?—Yes, certainly it is my opinion.

Further Examination postponed.

Mr. SAMUEL WILLIAMSON, called in; and Examined.

Chairman.

823. YOU are a shorthand writer, I believe?—I am a clerk in the secretary's office, and I do the correspondence.

824. You are a clerk of the Cambrian Railway Company?—I am.

825. Were you present at the interview which took place between the directors of the Cambrian Railway Company and Mr. Hood, on Wednesday, the 30th September 1891?—Yes.

826. And you took down what passed?—Yes.

827. Did you take down all that was said on both sides?—No.

828. What did you omit?—I took down as nearly verbatim as I could; but, of course, when three or four were speaking together, it was impossible to do so.

829. Are you sure that you took down all that Mr. Hood said?—No.

830. Mr. Hood has challenged some of the answers that he is supposed to have given as reported by you?—I have made a list of the answers which he denies, and I hand it in (*handing in the same*).

831. First of all, in Mr. Hood's answer in reply to Question 27 of the evidence, he denies that he said the words, "I am very sorry"?—(*After referring to his notes.*) I have those words most distinctly in my notes.

832. You are positive you took down those words?—I am positive.

833. Did you take down the whole of the answer given by Mr. Hood to the question?—I cannot say; the answer in my notes is, "My idea was that the accident was caused by the defective permanent way, and that porter Humphreys was not to blame. I am very sorry."

Chairman—continued.

834. Did you omit anything?—I cannot say now positively.

835. Did you omit anything that would alter the sense of that answer?—Certainly not.

836. Then again Mr. Hood states, in reply to Question 27, that he disputes having said the words: "That is so"?—Those words are most distinctly in my notes, "That is so." That is the whole of the answer that I have down to the question.

837. In reply to Question 29 Mr. Hood states that he is reported, in answer to Mr. Maclure, to have said: "I must have made a mis-statement if Stokes was on duty, and I am very sorry"?—What I have on my notes is: "I must have made a mis-statement, and I am very sorry"? Those words appear upon the transcript handed in to Mr Conacher.

838. You are certain that is all that Mr. Hood said?—That is all I have here.

839. Do you remember whether you omitted anything or not?—I cannot say.

840. At any rate you are quite certain that you took down those words?—Yes, quite so; they are here before me.

841. In answer to Question 30 Mr. Hood said: "The chairman afterwards said, 'you are now quite clear that Humphreys was not on duty 44 hours,' and here it is alleged that I said 'Yes; but at the time I was convinced of the truth of what Humphreys told me.' I dispute having stated that." Did you take that down?—The actual words I wrote are: "At the time I was convinced of the truth of what Humphreys told me, but is not so;" that was what I took down,

Chairman—continued.

down, which I put into proper or intelligible English.

842. In reply to Question 33 Mr. Hood says: "Then I am reported to have said, 'When I made the statements I believed them to be correct, but Humphreys was evidently not on duty on Friday night.' I dispute that"?—Mr. Hood's reply, as shown in my notes, is: "When I made the statements I believed them to be correct, but Humphreys evidently has not been on duty." I put in "on Friday night" to make it clear.

843. In answer to Question 43 Mr. Hood says: "I dispute that I said the words, 'I admit this"?—I have those three words in my notes clearly.

844. In answer to Question 49 Mr. Hood says he is reported to have said "Yes, I quite agree with that," in reply to a question of Mr. Maclure?—"Yes, I quite agree with that," I have that in my notes.

845. That is all of that answer?—Yes, all that I have down.

846. Again in Question 49, in reference to his reply to a question from Mr. Conacher, Mr. Hood says: "I dispute having said that word 'Yes'" He says: "What I did say was this: 'I was present when that happened to Mr. Birt; but what I said was that I had applied twice'"?—That "Yes" has been struck out of the copy handed in.

847. Do you remember whether Mr. Hood stated what he alleges here that he did state; he told the Committee (and this was the only case in which he did so) what he considered he did say. Have you any recollection of his saying what he says there?—Yes, I have a perfect recollection of it. When I gave the transcript in to Mr. Conacher he drew my attention to what was an omission, and he put in the words: "Yes, I was present when that happened to Mr. Birt." What I have in my notes is this: "What I said was that I had applied twice;" but I remember most distinctly that Mr. Hood mentioned Mr. Birt's name; the only word he disagreed with was this word "Yes."

Mr. *Somervell.*

848. But you have not upon your notes the line you mentioned just now?—No.

Mr. *Channing.*

849. Did the chairman caution any of the members of the board, or Mr. Conacher, or Mr. Hood to speak slowly at the meeting?—Not in my hearing.

Mr. *Somervell.*

850. You have told the Committee that you put in a whole line which was not on your notes?—Yes; but Mr. Hood admits that that line is correct.

851. You have also told the Committee that you altered another line, to make it intelligible English; I want to know if there are any other alterations or omissions which you have made up?—Not in the answer I have read.

852. But I want to know whether you made much of it into "intelligible English"?—No, not much of it. It ran off fairly well.

853. Would you look through your notes and see?—(*The Witness glanced over his notes.*) No, I have inserted nothing in this report which is omitted from my notes.

Mr. *Somervell*—continued.

854. Just about the middle of the report there is a question by Mr. Maclure, and Mr. Hood's answer is this: "I must have made a mis-statement, and I am very sorry." I want to know if Mr. Hood did not say: "I must have made a mis-statement if Stokes was on duty"?—Those words, "if Stokes was on duty," are not in my report at all. All I have is: "I must have made a mis statement, and I am very sorry."

855. There is another point upon page 4 of the transcribed notes (page 37 of our print); it is about the question of the sleepers being rotten; it runs in the report: "Mr. *Hood:* that was my opinion." I understand from him that he thinks he added "the driver informed me that he did not leave the metals until he had got some distance over the points"?—I have no record of that.

Mr. *Maguire.*

856. Have you had much experience in taking reports of meetings?—No, not much.

857. Had you ever taken a report of a meeting before?—I took a meeting about a week before.

858. That was the only one?—Yes.

Mr. *John Wilson.*

859. I think you made the remark that there were sometimes three or four talking together?—Yes, as they were over the letter "G" in this room just now.

860. But there was no dispute over the letter "G" in that room?—There was more than one person speaking at a time there occasionally.

861. More than one director?—I should not like to confine it to directors.

862. Would Mr. Hood and two directors be talking together?—Yes, in a conversational manner.

863. Have you any reference to what Mr. Hood said about Davies the warehouseman?—Yes, I have it in my notes.

864. Did you read your shorthand notes over to Mr. Conacher?—I did not.

865. I thought he inserted something you had omitted?—That was after I had written them out.

866. You submitted the transcript to Mr. Conacher?—Yes; I was a servant of the company.

867. Will you look at your notes and see if you have given the Committee the full record about Davies the warehouseman?—I have this: "I tried to make arrangements with some one else to take his place" (that was Roberts), "I went to the warehouseman and asked him if he would go on duty that night, but he objected to do so on account of his heavy duties."

868. That is in the report before us?—Yes, it is.

Mr. *Flynn.*

869. You do not profess to take a verbatim note, do you?—No.

870. Can you render fairly the substance of what occurs at a meeting like that which you reported?

Mr. *Flynn*—continued.

reported?—I have had no experience of it; I could not answer that question.

871. Were you able to transcribe your own notes clearly from your shorthand?—Yes; I have done correspondence work for several years, and I never have any difficulty in that way.

872. Still you do not profess to take a verbatim note?—I do not.

873. You say that you did not take down all that Mr. Hood said?—No.

874. Did you omit much of what Mr. Hood said at the meeting of the directors?—I do not think so.

875. And you do not remember omitting anything very important from what Mr. Hood said?—I cannot say; I cannot remember now.

876. If you omitted anything would it be on account of several gentlemen speaking at the same time?—Partly that, and partly on account of its being impossible.

877. You said there were three or four gentlemen speaking at the same time?—Occasionally.

878. At page 39 of our Minutes the chairman of the meeting I find says, speaking to Mr. Hood: "Just so; you have screened Humphreys, and now you see what it has got you to;" then Mr. Maclure says: "No, it is to screen Mr. Hood himself;" and so on, that I suppose would be one of the occasions upon which two or three of the parties were speaking at the same time?—I cannot say whether those words crossed each other, or whether Mr. Maclure made his remark after the other remark.

879. With reference to this occasion of the directors' meeting when Mr. Hood is first of all asked a question about this passage by the Right honourable Chairman he said: "The chairman said 'Just so; you have screened Humphreys, and now you see what it has got you to.' Then Mr. Maclure said: 'No, it is to screen Mr. Hood himself from a gross neglect of duty; and he had better say frankly that the replies to the Select Committee, giving the thing in the way in which he did, were false.'" Then Mr. Hood disputes that, he stated: "When I made the statements I believed them to be correct, but Humphreys evidently was not on duty on Friday night." Can you find that upon your notes?—I have already read that.

880. Would that be one of the occasions upon which two or three gentlemen were speaking together which rendered it difficult for you to take down all that Mr. Hood said?—I cannot say now.

Mr. *M'Laren.*

881. When you had written out your manuscript, did you send it to anybody for revision?—Not for revision, but I took it in to Mr. Conacher as I take in to him everything.

882. Before it was type-written he had it in his possession?—Yes.

883. Could you say whether it was altered before it was type-written?—Not in any degree; only one of Mr. Hood's answers was altered, and this has been referred to.

884. You saw the transcript before it was type-written?—I type-wrote it myself.

885. Were there any considerable alterations?—Very few.

886. And those alterations, such as they were, were presumably made by Mr. Conacher?—Yes.

887. You say on page 3 of the type-written report (page 37 of our Minutes), "Mr. Hood here produced a sketch of the wrecked train, which, however, it was pointed out to him, was incorrect with regard to the position of the engine, that vehicle being the first to leave the rails. It was explained to Mr. Hood how it was proved by his own sketch that the engine left the rails on account of the points not being properly closed, and this he was ultimately unable to refute." Is this a summary of a considerable amount of conversation which took place?—Yes, it is.

888. Who pointed out to him that his sketch was incorrect?—Mr. Conacher.

889. Did he dispute it?—He did to begin with, but he did not ultimately.

890. So that for a considerable time Mr. Hood held out that his sketch was a true and correct one?—Yes, he argued it.

891. But he was finally brow-beaten, or did he give in for the sake of peace?—I cannot say why he gave in.

892. But he did ultimately give in?—Yes.

Mr. *Milvain.*

893. Was Mr. Hood told that a shorthand note was going to be taken?—Not to my knowledge.

Mr. *Murdoch.*

894. Mr. Hood had a copy of the shorthand notes as type written?—Yes, Mr. Conacher sent it to him, I believe, shortly after the meeting.

895. And he did not object to anything except those points which he has mentioned before the Committee?—I was not aware of his objections at all.

Monday, 7th March 1892.

MEMBERS PRESENT:

Sir Michael Hicks Beach.	Mr. Maguire.
Mr. Channing.	Sir Herbert Maxwell.
Mr. Radcliffe Cooke.	Mr. Muntz.
Mr. Crawford.	Mr. Murdoch.
Mr. Flynn.	Sir Joseph Pease.
Mr. Alfred Gathorne-Hardy.	Sir Albert Rollit.
Mr. Herbert Gladstone.	Mr. Somervell.
Mr. Howorth.	Sir George Trevelyan.
Mr. MacInnes.	Sir Henry Tyler.

THE RIGHT HONOURABLE SIR MICHAEL HICKS BEACH, BART., IN THE CHAIR.

Mr. JOHN CONACHER, re-called; and further Examined.

Mr. *Crawford.*

896. Mr. HOOD was dismissed without being told what he was dismissed for?—Yes.

897. Do you not think that in the case of a man in the position of a station-master if the directors contemplated his dismissal they ought to tell him what he is charged with, and give him an opportunity of answering those charges before he is dismissed?—I believe it has been the practice of the directors not to give the reasons for the dismissal of a man in Mr. Hood's position in order that nothing may appear against him in view of his applying for another situation.

898. But his dismissal, of course, is public; that stands against him. If an intimation were given him that the directors charged him with something and called upon him to answer it, in what way would that prejudice his future prospects any more than being dismissed summarily?—In this particular case I think the directors believed they had sufficient information before them to deal with his case; but the chairman of the Cambrian Company is here, and he will be prepared to tell you exactly what led them to adopt the course they followed.

899. I observe that Sir George Trevelyan, at Question 607, enumerates three grounds which might be extracted from Mr. Hood's evidence as the grounds of his dismissal, on which Mr. Hood represents that there was fair room for difference of opinion and good faith on his part, and you add, in answer to that Question 607, "the falsification of the pay-sheet;" now have you observed that in the proceedings at the meeting of the directors the chairman says, speaking to Mr. Hood, that he must address himself to the question of the justification of the statements he made here; but he does not say anything about the falsification of the pay-sheet?—No; for Mr. Hood confirmed the evidence of that falsification without being called upon to make any explanation of it.

900. You mean at the meeting?—Yes. I find

Mr. *Crawford*—continued.

that the first statement Mr. Hood made was an explanation of why the pay-sheet showed that Robinson had done the work on the first of the two nights when it was clear that someone else had done the work.

901. Consequently Mr. Hood introduced the subject of the falsification of the pay-sheet himself?—Yes, and gave a reason for it, which fell to the ground when it was shown that Stokes had done the duty.

902. And he introduced that subject himself at the meeting?—Yes.

903. Consequently it could not have been one of the grounds upon which he was dismissed?—Yes, it was because Mr. Hood introduced it himself when he wrote me his letter saying that no doubt I must feel surprised at his giving the evidence as to Humphreys being on duty 44 hours, knowing as he did what the pay-sheet disclosed, which I had shown him just before.

904. I understand that you distinctly stated that Mr. Hood was not dismissed on your recommendation?—Quite so.

Mr. *Radcliffe Cooke.*

905. I have only one or two questions to ask you. When Mr. Hood observed to you that the permanent way had been injured (that was after the accident) and he subsequently wrote to you to say that he thought the points had been tampered with, you inferred from those observations not so much that he was saying what was accurate in his own mind but that he was trying to screen himself or the officials of his staff?—That was my impression.

906. You have given the Committee your impression as to Mr. Hood's conduct; now as general manager of the company, and of course in touch with the staff and the directors, you are probably better able than anybody else to form a judgment as to the conduct of the directors or

Mr. *Radcliffe Cooke*—continued.

any persons connected with the company?—No doubt I am.

907. The Chairman told you, in answer to a question from Mr. Somervell, that you need not give a direct answer to the question; but in your judgment was Mr. Hood dismissed because he gave evidence before this Committee, or because as the result of that evidence irregularities were disclosed in the working of the station at Ellesmere, which rendered it undesirable that he should continue station-master, or should remain in the service of the company?—I am not the manager of the company now, and have no authority to speak for the directors; that being so I do not know that I could answer the question in any useful way; I have no authority to speak for the directors, and they are here to speak for themselves

Mr. *Murdoch.*

908. I think you were something like six years with the Cambrian Company?—I was many years with the Cambrian Company, but not as general manager. I may say that in 1885 I was secretary and receiver. Certain official changes then took place and I was asked to undertake the supervision of the railway pending the completion of certain works which were in progress. Directly after that I was appointed sole receiver of the railway by the Court of Chancery, the directors being appointed official managers. During the next three years I was very much engaged in reorganising the financial position of the company, and anybody who knows what the financial position of the company was previously to that time, and what it became towards the end of 1888 knows how great that task was. Then I may say that for the next three years I was engaged in striking out an extension for the purpose of strengthening the position of the company, and it was not until 1st January 1890 that I was appointed general manager; and it was within nine months from that time that I discovered this irregularity, and put a stop to it.

909. Then, in fact, until January 1890 you had no opportunity of going into the details of the management?—No, my time being occupied by pressing matters of much greater importance.

910. The Cambrian Railway was formed by the amalgamation of several original small Welsh lines?—Yes.

911. They were not in a very strong financial position, I believe?—They were in a very weak position.

912. Altogether there was a great amount of labour involved in getting these lines into working order?—Yes.

913. So that your real supervision of the details of working could hardly be said to have commenced until January 1890?—That was so.

914. And I take it that for many months after that there might have been many things going on of which you might not have knowledge?—That is so.

915. From January 1890 up to the time of the change which you introduced was there much alteration in the hours of the servants' labour?—Yes; public attention was then being directed to the whole question of the railway servants' hours of labour; and we, in common with other

Mr. *Murdoch*—continued.

companies, were doing what we could from time to time to reduce those hours.

916. At the time you left had those hours been considerably reduced?—Yes.

917. I wish to ask you one or two questions with reference to Mr. Hood's evidence. Mr. Hood stated very early in his evidence that he felt he was a marked man; was there any ground for that feeling at all?—Not the slightest; I gave no instructions. On the contrary, I was particularly careful that neither Mr. Hood nor any witness should have any reason for believing that he was a marked man.

918. He was moved from Ellesmere to Montgomery on account of the Montgomery station being an easier one, was he not?—Yes; and on account of the directors having formed the opinion that the discipline of the Ellesmere station was defective, and that it would be better that Mr. Hood should go to a smaller station; that decision was come to at the beginning of 1888; but at Mr. Hood's request I postponed giving effect to it until May 1889.

919. Mr. Hood, in his evidence, mentions he received a prize of 30 *s.* for his station and garden being in very good order; what were those prizes given for?—For the cultivation of flowers and shrubs, and the amenities I may call it, of the station platforms generally. The directors introduced that system a few years before, and every year they have increased the amount given in prizes; so that last year he was able to take one of the prizes.

920. That prize had nothing to do with the working of the traffic?—Nothing whatever; only the cleanliness and appearance of the station.

Mr. *MacInnes.*

921. Was Mr. Hood summarily dismissed, or was he called upon to retire?—He was dismissed.

922. Would not the more usual course be to call upon such an officer to retire?—I think you must ask the chairman of the company that question.

Mr. *Channing.*

923. I want to draw your attention to Questions 681 and 682. In Question 681 I asked you, "Was he dismissed on account of that evidence?" and you referred me to the chairman; and in Question 682 I asked you this question, "Did you advise your board upon this point?" and your reply was; "I did not upon this particular point. I made up my mind, when the men came up to give evidence, that if any of them committed any breach of the regulations I should not deal with the case at all, and I have pursued that course"?—Yes.

924. You have recently stated, in answer to Mr. Crawford's question, "Do you adhere to your statement that Mr. Hood was not dismissed upon your recommendation?" that he was not?—Yes.

925. I have before me a copy of a letter dated 21st September, addressed to a gentleman whose name is not given, by Mr. Humphreys Owen; Mr. Humphreys Owen writes as follows: "Dear Sir,—I beg to acknowledge the receipt of your letter of the 19th, asking me if I can see my way to try to get Mr. Hood back upon the railway;

Mr. *Channing* —continued.

way; you appear to be under the impression that it is in my power to reverse the decision come to by a board of eight directors on the recommendation of the general manager of the company. I have no such power, and all I can do is to forward your letter to the general manager to be read with other memorials of the same nature before the board at their next meeting. Yours faithfully, *A. C. Humphreys Owen.*" How do you reconcile that statement with your reply to Mr. Crawford?—Mr. Humphreys Owen is under a misapprehension. He is in the room and will tell you so if it is desired. I repeat my statement that I made no recommendation to the directors at all. I said on the last occasion that I made a statement, and to that statement I adhere. If the Committee wish I will tell you what the statement was, but I did not make a recommendation.

926. Do you mean a written statement or a verbal statement?—A verbal statement.

927. What was it?—I put the documents before the directors, and the matter was carefully considered by them, and after long consideration and discussion and when they had come to a conclusion ——

Mr. *Somerwell.*

928. It was your own statement that you were going to give us?—Yes; when, after a long discussion, the matter had been practically settled, one of the directors turned to me, knowing that I had refused to give any advice on these things and said, "Mr. Conacher, what is your opinion on the matter." I said that having regard to the facts which had been disclosed I did not see that Mr. Hood was a proper person to be an agent of the company; that was my statement.

Mr. *Channing.*

929. You represent that statement to the Committee as not being a recommendation from the responsible officer, the general manager, that the man should be dismissed?—Quite so.

930. In Question 674 I asked you whether the fact that the cause of Mr. Hood's dismissal was stated to himself after the meeting of the directors at Crewe, was true or not; and you, in reply, absolutely denied having made any statement after the meeting, or at any time previous to the meeting, as to the causes of his dismissal. I may state that Mr. Hood writes to me to say that he is prepared to state on oath that you used these words after the meeting at Crewe. "You are the only witness who has been dismissed for giving evidence"; is that true or not?—It is not.

931. Did you have any discussion with him after the meeting?—I had the conversation with him which is described in answer, No. 676.

932. Did you or did you not use the words which Mr. Hood is prepared to state on oath that you did use?—I am prepared to say on oath that I did not.

933. Then I have only one more question to ask you. You referred to the report upon an accident in 1883, which was used, as you stated, as one of the reasons for the removal of Mr. Hood to Montgomery; has that report been placed before the Committee?—It was produced at the inquiry last year, but it can be sent here; that is to say, the traffic manager's report can be sent here.

Mr. *Channing*—continued.

934. Have you Mr. Hood's written reply?—I cannot speak now as to that because those documents are not now in my possession; but the present manager is here.

Sir *Henry Tyler.*

935. You have stated that Mr. Hood was not dismissed upon your recommendation, and yet you have stated that when your opinion was asked it was pretty strongly in favour of not retaining him in the service?—That was as to his fitness for the position of station-master.

936. I want to know what distinction you draw in your mind between the two things?—I think that when you hear the reasons which the chairman will give the Committee for his dismissal you will see that my opinion when asked for was the only opinion that I could give the directors.

937. You want to draw a distinction between the recommendation you gave to the directors and your opinion as to Mr. Hood's fitness for the post?—I draw a clear distinction; because when the first witness's case, that of Thomas, came before the board I told the board I should not make any recommendation, nor deal in any way with any witness who had committed any offence, and that that would apply to the case of any witness who might come before the board in course of time.

Mr. *Somervell.*

938. You rather minimise the fact of Mr. Hood having to do duty at another station. I want to know whether on the 1st July 1891 you sent this memorandum; you rather gave the Committee to understand that the station-master was an old man: "Illness of Forden, agent. Confirming my telegram, I enclose pass to enable yourself and clerk Thomas, to visit Forden (signed) *J. Conacher*"?—You are referring to a different station; it was not at Forden that the old man was; the old man was at Bettisfield when Mr. Hood was there, and the letter you have read was in reply to a letter Mr. Hood wrote to me on the previous day, which I read last Thursday.

939. Mr. Hood stated that after he had applied to give evidence you made him do duty at another station; and I want to show how your letter confirmed his statement?—I put in Mr. Hood's letter of 30th June, at Question 586; possibly you were not present at the time.

940. But that was not the first communication, was it?—Yes; that is the 30th of June; the letter you have is the reply I sent to that letter to Mr. Hood.

941. Then let me call this to your recollection; here is a letter dated the 29th of June: "Secretary and Manager's Office. Illness of Forden, agent. Referring to your letter of 23rd instant, I wish you to make arrangements for clerk Thomas to render the Forden returns. Please note, and acknowledge receipt. (signed) *J. Conacher*"?—There was nothing unusual in that in the case of a station where there were clerks and a small station close at hand; it was a very frequent arrangement to assist at a time of that sort.

Mr. *Somervell*—continued.

942. I was merely going to your credit; you said that was the first letter, whereas I was showing that you had had a letter upon the 23rd. This is merely to show that your memory is not always accurate?—I have not forgotten that; but the previous communication was to send a clerk. Mr. Hood's letter of the 30th was an offer to go himself, and my letter of the 1st July was a reply to that letter. The first letter is a letter written in my name to Mr. Hood upon the 22nd of June: "During the illness of Mr. Wovonam, the agent at Forden, please arrange for clerk to assist at Forden for an hour each day. I recommend Price." To that letter Mr. Hood replied on the 23rd of June: "I note, and will send Price as requested." On the 29th of June I wrote to Mr. Hood: "I wish you to arrange for clerk Thomas to make the Forden returns, as I understand that clerk Price" (that is his other clerk) "is incapable of doing this, although he has been in the service nearly five years." Then Mr. Hood replied to that: "If you will please send a card pass for July for myself and Thomas, we will go to Forden, and do our best to get the work up."

943. You have said that that work was undertaken voluntarily, and I wish to show that it was by your orders?—No, it was his offer to go. The order was for the clerk to go.

944. At all events, it was putting the work upon the people at that station, therefore it was not voluntarily undertaken by Mr. Hood?—It was, so far as Mr. Hood was concerned.

945. But not so far as his subordinates were concerned?—No.

946. It was extra work thrown upon that staff, and not done voluntarily?—I requested the clerk should be sent.

Mr. *Muntz.*

947. I presume you considered the staff at Montgomery capable of rendering service of that description?—Yes. Would the Right honourable Chairman allow me to put in two documents which I promised to submit: first, the book kept by Inspector Jones, who sent Stokes to take the duty at Ellesmere; it contains that entry, under date the 4th of November 1887. (*The book was handed in. The entry was read as follows*):—"J. Stokes; sent Ellesmere by night mail to relieve night man; (date) 4th November 1887."

Chairman.

948. In whose handwriting is this?—In the writing of the inspector at Oswestry, who sent Stokes to do the duty.

949. What is his name?—Thomas Jones.

950. Is he here?—He is not here.

951. I see at the commencement of this book a statement signed by Mr. Bull, a Commissioner to Administer Oaths, that "this is the book marked A., referred to in the affidavit of Thomas Jones, sworn before me the 26th of February 1892"?—The affidavit is here, and can be read, if the Committee permit, or the witness can be brought up before the Committee to speak for himself.

952. Will you read it?—"I, Thomas Jones, of Oswestry, in the county of Salop, make oath, and say as follows: (1) I am station inspector in the service of the Cambrian Railways Company, at Oswestry. (2) On the evening of Friday the 4th day of November 1887 I received instructions from the station-master at Oswestry, Mr. S. R. Hammond, to send assistant guard, John Stokes, to Ellesmere, to relieve the night man there, and I accordingly instructed the said John Stokes to go there by the mail train, leaving Oswestry at about 9.35 in the evening of that day. (3) I verily believe that the said John Stokes went to Ellesmere at the time and for the purpose aforesaid, as I saw him return from Ellesmere on the morning of the following day, namely, Saturday the 5th day of November 1887, by the mixed train due at Oswestry at 9.40 a.m. (4) On the before-mentioned days I made the entries in the book, now produced and shown to me, marked A., to the effect therein stated, namely, that the said John Stokes was sent to Ellesmere as before mentioned, and that he left Oswestry on the next day with the train leaving there at 10.46 a.m., for Whitchurch, in performance of his ordinary duty. (signed) *Thomas Jones.* Sworn at Oswestry, in the county of Salop, this twenty-sixth day of February 1892, before me, J. C. Bull, a Commissioner to Administer Oaths in the Supreme Court of Judicature."

Mr. *Somervell.*

953. Will you put in the order of dismissal?—I have that next, if you will allow me to put it in.

Chairman.

954. Will you read it?—"Secretary's Office, Oswestry, 27th February 1892. Extracts from the minutes of meeting of board, held at Euston Hotel on 6th August 1891. Mr. John Hood, station-master, Montgomery. It was resolved, That Mr. Hood's services be at once dispensed with, and that he be paid one month's salary in lieu of notice. (signed) *Alfred Aslett*, Secretary."

Mr. *Crawford.*

955. Have you any writing to show what was the reason of his being removed from Ellesmere to Montgomery; have you any writing to show that it was in consequence of the want of discipline at Ellesmere?—There is the report of the traffic manager in 1883, to say that in consequence of the discipline being lax he thought it would be necessary to remove Mr. Hood to a smaller station. That report was confirmed by the board at the time, and when an accident occurred of a similar kind in 1887 the board had that previous report before them, and gave me verbal instructions that I should send for Mr. Hood, and tell him that that order would have to be carried out.

956. That was done verbally?—Yes.

Chairman.

957. Now you wish, I believe, to tell the Committee something about driver Kingstone?—Yes, I wish to say with regard to him that the accident was not quite the trivial one that he mentioned, nor one so frequently occurring. There were only three accidents of the kind occurring

Chairman—continued.

occurring during my time, one in 1886, the one for which Kingstone was to blame, and one which followed a few months afterwards. Running against signals by an engine-driver is a very serious offence, and no company could overlook it. The London and North Western Railway Company, whose station it is at Whitchurch, where the accident happened, wrote to me, saying, "From the reports which I have received on this matter it would appear that your driver is solely to blame for running past the disc signal at danger. He does not seem to have been keeping a proper look out, and I shall be glad to hear that you have dealt suitably with him." Then there is the note: "There will be a debit against Cambrian Company for breakdown gang from Crewe." Then Kingstone himself upon the same day sent in this report: "I wish to state that I have caused delay to the 10 a.m. from Whitchurch 1 hour and 45 minutes. The cause was, I forget the trap points; I was the other side looking were the coaches clear; nothing was broken on engine; the fault my own."

958. What punishments were inflicted in the other two cases?—In the first case, which happened six years ago, the man was reprimanded, because the signal had been newly put up, and it was the first time he had been running in the yard. The second was Kingstone's case. The third was the case of a full driver who was suspended for a fortnight, but as the station-master was partly to blame for the occurrence, he was not further punished.

959. Was the station-master in any way punished?—He was censured and cautioned. That is all I wish to say with reference to Kingstone. With reference to Thomas, I may say that he was never charged with being drunk, and therefore the statement that he made before the Committee, that I refused him a hearing, in reply to the charge, is untrue. The charge made against him is contained in these documents, which I produce. Perhaps it would be better that you should see them before they are put on the notes, because they contain a good deal of language which I do not think you would care to see printed; but I will put them in.

960. I think you must state them to the Committee as far as you can, without using the foul language?—The first document is a letter written to me upon the 4th July 1891, by Mr. Hammond, the station-master at Oswestry: "I beg to enclose a serious complaint from Thompson in reference to the conduct of signalman Thomas, of the South Box, when on night duty. Thompson has on several occasions complained to me of the shocking profane language made use of towards him by Thomas ever since he took the day's duty in the South Box by your special instructions, and that he really cannot put up with it any longer." It goes on to another matter, which I need not read. The complaint from signalman Thompson, which accompanied that letter, I will partly read also. "I beg to report Thomas——"

Sir *Henry Tyler.*

961. Is that by the station-master?—No. This is by signalman Thompson himself, who made a

Sir *Henry Tyler*—continued.

complaint against signalman Thomas, who was here the other day: "I beg to report Thomas at the Coney Green Box. The 8.5 p.m. goods from Whitchurch on the 1st July arrived here at 10.44. I kept them outside 12 minutes, calling the man at the Coney Green Box. I could not get him to let the train down with caution. Also on the 2nd July the train arrived at 10.45. On this date Thomas called from platform after mail left here for Whitchurch, to say that he was going to his supper, let train in all right, so I did so, with caution. Sometime after, about 12.30, he came to me, told me to report it, and used a great deal of very bad language. This has been done many times since I was put in the box at Coney. I should like to know whether I am to let train in while he is at supper, and I hope you will put a stop to his bad language to me. I could say a deal about his bad language to me. Williams, the waggon inspector, knows of his language to me." I sent for Thompson and for the station-master upon receipt of the letter, and heard what Thompson had to say. I then sent for Thomas and asked Thompson, in his presence, to repeat his complaint, which he did. Thomas admitted using the bad language; admitted going into the box, staying there for two hours, and deserting the box (which he described here as being so busy that he could not leave it for a minute) to run down to Thompson's signal-box. Thompson charged Thomas with being asleep; Thomas corrected that by saying he was only pretending to be asleep, although he said here the other day that he was asleep. I asked if there was any corroboration of Thompson's statements, and I was told there was another servant of the company who heard the language. I instructed the station-master to get the statement of Thompson and the witness in order to know what the real facts were. These are the statements of James Thompson, signalman, who is in the room: "I beg to say that I have experienced no end of abuse, bad language, &c. from signalman Thomas ever since I was called upon to do duty in the South Box on Tuesday, 29th April last, prior to which date we had no unpleasantness, the duties between the two boxes being performed in an amicable manner. However, a few days after I had been employed as above, Thomas wanted to know the object of my being placed there for the day, and because I declined to satisfy him he thereupon commenced to abuse me, using foul language, calling me a sneak &c., and this conduct has gone on ever since, getting worse and worse, until last week it became unbearable. On Wednesday, 1st inst., the down goods, due here 8.15, arrived at 10.42 p.m. I failed to get line clear from South Box, and after keeping the train outside 12 minutes, and satisfying myself line was clear, I let the goods in, cautioning the driver on passing my box. On Thursday night" (I need not read about the trains), "after the midnight goods had left he came up into my box, told me to report it (meaning his absence), and cursed and swore, calling me all bad names he could think of, using same language in reference to station-master, manager, and ———————— Company; he did not care a —— —— for the whole lot; swore that I did not do my duty whilst at the South Box, that I never cleaned the points during the day, and

Sir *Henry Tyler*—continued.

that the record I kept was a pack of lies, which he could prove. Friday night was again a mere repetition of the above, as regards language, &c. Thomas came up into my box about 12.35, and after a lot of abuse and filthy language, he lay himself down until I called him at 2.35 a.m., when he left without exchanging words. I have borne with his conduct for a long time, hoping that he would see his folly and improve; however, instead of doing so, the reverse is really the case. I trust, therefore, you will kindly take the matter up in such a manner as to protect me, for I really do not feel safe, and the worry I have been subjected to for such a long time is having an injurious effect on my health, and prevents my sleeping in bed." The only definite statement made by Thomas against Thompson in that is, that Thompson in doing duty upon that particular day did not enter any particular time for cleaning the points. Now here is Thompson's statement, from which I read when I gave evidence last year, and the entry of the time occupied in cleaning the points is shown there as 27 minutes (*handing in the return*).

Chairman.

962. Why was Thompson sent to this box?—Because he was an old servant of the company whom we could rely upon in every possible way; he had often been in that box doing the duty himself, and he knew the duties of it.

963. Was he sent to that box to be a check upon Thomas?—He was sent there to provide me with a record of the work of that box, in answer to the statements which Thomas had originally made here.

964. Did he give you that record?—That is the record I have handed in.

Sir *Joseph Pease.*

965. For only one day?—For only one day; and there was one man called Price who was on duty for one night.

Chairman.

966. Then this bad language and conduct which Thompson complained of happened after he had left Thomas's box altogether?—Yes; it began immediately after he was put in the box, and it continued up to the time of Thompson's complaint. Then there is the statement of the man who heard the abuse going on, and that, with your permission, I will read. I may say this man, Joseph Williams, is here also, if you desire to see him. "With reference to the disagreement between signalman Thompson of the North Box, and Thomas of the Coney Green Box, I beg to state, on Thursday, 2nd July, I was on north end of platform about 10 o'clock, p.m., and heard Thomas shouting to Thompson to let the Whitchurch goods in, and he would be responsible, as he was going to his supper, according to regulations. I went into the North Box to telegraph the time of the 12.30 a.m. leaving for Whitchurch; during that time Thomas came there arguing about letting the goods down, and told Thompson to report it if he liked. Thompson said he did not wish to report any one, but wanted to work peaceable,

Chairman—continued.

and asked Thomas why he was working so contrary, and coming there getting on to him every night. Thomas said, 'Who the —— can work with you, the way you acted in the Coney Green Box, as you stated we had seven hours rest during the day, which you know to be a —— lie, and you never put anything down for cleaning points'; and Thompson said, 'I know I did, for I put 45 minutes.' Thomas said it was a —— lie, for he was watching him off the platform all day. Thompson said what time he recorded was the truth, as he did not favour master or man. Thomas said he was a —— old liar, as he was like a good many other Cambrian men trying to push their finger up, and there was a good many got him and Jack Price set"; (that is the man who took the night duty). "After that I left them in the box. On the following night, Friday, 3rd July '91, I went into the box to signal the train, and Thomas was there. Thomas said to me he could not get Thompson to speak to him to-night. I said, 'no wonder.' Thompson then said he did not want to speak to him as he had had quite enough of his nonsense, and that he would see Mr. Hammond about it. Thomas then said he could see who the —— he liked, as he did not care for Mr. Hammond or Mr. Conacher, as the Cambrian Company did not keep him, and was using some very bad language; so I came away, leaving them both in the box haggling together."

967. Was that statement made to you?—It was made to me verbally, and then afterwards put in writing by these men.

Sir *George Trevelyan.*

968. Thomas appeared as a witness, I think, on the 21st April?—Yes.

969. What was the day, or the day and the night upon which Thompson was put into the box?—28th April.

970. That was before you gave your evidence here?—It was.

971. And it was for the purpose of enabling you to get the data for that evidence?—Yes, it was.

Mr. *Channing.*

972. I want to ask you one question about Kingstone's case; that is, as to the time at which he was reinstated by the officials and promoted to higher wages?—That was after I left the Company's service.

973. Was it after the attention of the Board of Trade had been drawn to Humphrey's and Kingstone's, and the other cases, and a general intimation in the Press that attention was being drawn to these matters?—It must necessarily have been so, because it was said directly after he was suspended, that he had been suspended because he had given evidence.

974. It is the fact, is it not, that attention was drawn in the press to these cases before his reinstatement?—Yes, certainly.

975. Now, as to Thomas' case, I understand that the ground he gave for this bad language, and the improper conduct, which I do not in the least excuse, was that Thompson very much minimised and understated the hours at Thomas' signal-box?

Mr. *Channing*—continued.

signal-box?—Yes, he found fault with the return which Thompson had made.

976. That was the reason he used to find fault with Thompson?—Yes, that was the statement, that he had not kept a correct record.

977. That was the statement you have just made to the Committee, that the ground that Thomas gave for using the bad expressions to the other man Thompson, was because of his understating the duties and the hours worked?—That was the reason Thomas gave, no doubt.

978. It is confirmed by the statement you produce here to day?—It is repeated in that statement.

Mr. *Crawford.*

979. In Kingstone's case, am I right in thinking that he was not reinstated until after you had ceased to be the general manager of the company?—He had made an application before I left the company. At that time, however, a second Ellesmere accident had taken place; he was fireman at the time of the accident, and it was considered by the directors better that his case should stand over till Major General Hutchinson had reported; and when he did report, Kingstone was immediately reinstated to his original position.

980. I presume both Thomas and Thompson were under the orders of the station-master?—Yes.

981. Do not you think that a dispute of this kind was one which the station-master might have settled if the discipline of the company had been good?—He said in his letter to me that he had refrained from dealing with the matter, and it was only brought to our knowledge when Thompson represented to him that Thomas' conduct had become unbearable.

982. I presume you would agree that it is a very inconvenient thing that a witness giving evidence before this Committee should be dismissed shortly after giving his evidence?—It would be a very good thing that no charge should be made against him, but if a charge should be made against him of an act which is inconsistent with the proper working of the railway, it must be dealt with.

983. Would it not be better for you to desire the station-master to discipline the station by not permitting the use of bad language?—I can only say that if the charge had been reversed, if it had been Thomas bringing a charge against Thompson, I have no doubt the directors would have taken the same course. Thompson was engaged at the moment in the working of the levers of his box, which is the busiest box of the station; I think that the liability to danger, arising from a man working under fear or annoyance, would be such that it would not be tolerated by the directors of any company at any station.

Mr. *Maguire.*

984. Thomas said the manager took down what Thompson said, but would not allow him to say a word; was that the fact?—It is not the fact. This is the memorandum I made: "Called for Mr. Hammond and signalman Thompson, and heard from the latter his account of Alfred Thomas's conduct. Sent for the latter, who admitted he may have used the language complained of, and repeated that Thompson's record of work done at the South Box was all untrue. Afterwards sent for Examiner Williams, who corroborated Thompson. I then instructed Mr. Hammond to obtain written statements from both Thompson and Williams."

985. Then Thomas had every opportunity of making what explanation he pleased?—Certainly; and I may say that there was no charge of drunkenness made at all.

Chairman.

986. Is there anything that you wish to add to your evidence?—No.

Mr. JOHN STOKES, called in; and Examined.

Chairman.

987. YOU are in the employ of the Cambrian Company as good's guard?—Yes.

988. And you were in their employment in November 1887?—Yes.

989. Do you remember going to the Ellesmere Station at that time?—Yes, I went on a Friday night.

990. What was the day of the month?—November the 4th.

991. What time did you go there?—By the 9.35 p.m., the mail.

992. What time did you get to Ellesmere?—I arrived there at 9.50.

993. At 9.50, the evening of Friday, November the 4th?—Yes.

994. Did you then go on duty?—Yes.

995. As what?—As nightman.

996. Who else was on duty?—Humphreys was there when I came.

997. How long did Humphreys remain there?—About ten minutes to a quarter of an hour, until after the mail train went away.

Chairman—continued.

998. Then did you take his duty?—Yes.

999. Was there anyone else there with you?—There was Mr. Hood's son there.

1000. Was he in the employment of the company?—I think he was in the goods; I will not say for certain.

1001. But was he on duty with you?—I cannot say whether he was wanted there or not, but he was there.

1002. Was any person in the employment of the company there besides you?—No, only Humphreys until he went away.

1003. And Humphreys left after a quarter of an hour?—Yes.

1004. You did not see Mr. Hood himself?—No.

1005. How long did you remain on duty?—Until

Chairman—continued.

Until about 10 to 9 in the morning, when I left, when the goods came in going to Oswestry.

1006. Did Humphreys come back before you left?—Yes, about 7 o'clock.

1007. Then you relieved him from 10 o'clock to 7 o'clock; is that so?—Yes.

1008. Did you see Mr. Hood before you left?—No.

1009. Did you see any other person in the employment of the company before you left?—Robinson, the booking-clerk, came in by the same train which meets the one that I went home by; the two trains cross there.

1010. Is that your writing (*exhibiting an entry on the pay-sheet*)?—No, my wife's.

1011. Is it K. Stokes?—Yes.

1012. Did you authorise her to sign the pay-sheet for you?—Yes.

1013. Is that your writing (*exhibiting the application for overtime*)?—Yes.

1014. Will you write on a sheet of paper the words "mail," "goods," "mixed," each with a capital letter?—(*The witness did so*).

1015. Then write "Saturday, 5th November 1887."—(*The Witness did so, and handed the sheet to the Chairman*).

1016. Do you see the entries between the two red lines?—Yes.

1017. Are those in your handwriting?—Yes, except one (*pointing out one*).

1018. But all the others are?—Yes.

1019. Including the "Saturday," "Mail," and "Mixed"?—Yes.

Mr. *Howorth.*

1020. Humphreys was away nine hours altogether, was he?—Yes.

1021. Was he entirely away from the station?—I did not see him after he went away.

Mr. *Channing.*

1022. How often had you been sent on this relief duty?—About twice before to Ellesmere.

1023. How long before?—It would be about 12 months the last time.

1024. You are quite sure about the day?—I could not tell the day.

1025. But you are quite sure about this particular Friday?—Yes.

1026. You are quite sure you have not mixed it up with any other day?—I am.

1027. With reference to the booking-clerk, Robinson, I want to get perfectly clear what your statement is with respect to him; when did you first see him that night, and what became of him afterwards?—I did not see the booking-clerk on the night of the 4th.

1028. You did not see him?—No.

1029. You were only informed that he had gone away by such a train?—Yes.

1030. You did not see anything of Robinson at all that night?—No.

1031. What information did you get about where he was; who gave you any information about him?—Humphreys, the man who was acting as nightman until I went there; he said that Robinson had gone home.

1032. Where did Humphreys go after you had relieved him?—To the town.

Mr. *Channing*—continued.

1033. You saw him go?—He went through the doors towards the town; that was the last I saw of him.

1034. What is your present position; a goods' guard?—Yes, a goods' guard.

1035. From Oswestry?—Yes.

1036. And how often are you employed on this extra duty?—I have not been employed for about eight months; it is about that time since I left off going on the extra duty.

1037. Had you been on duty as goods' guard during the day, the night when you went to Ellesmere?—Yes; I was working a train on the morning of the 4th; I left Oswestry at 8 o'clock, and came back at 3 o'clock in the evening.

1038. Then you were sent on night duty after that?—Yes, to Ellesmere.

1039. Was it a frequent occurrence that after you had had day duty you were sent as relief man on night duty?—Yes; I have done it several times.

1040. What did you do on the day of the 5th?—I went out by the 10.46 train to Whitchurch.

1041. You are sure you went upon the morning of the Saturday?—Yes.

1042. What time did you get home?—About 3 o'clock, or a ¼ past 3.

1043. You have frequently been at work these long hours, including night-work?—Yes.

1044. But you do not think those hours have led to any confusion in your mind as this day with any other day?—No.

1045. The application for more pay was in your own handwriting, was it not?—Yes.

1046. And the signing of the pay sheet was in your wife's?—Yes.

Mr. *Somervell.*

1047. You say Mr. Hood's son was there when you came on duty?—Yes.

1048. How long did he stay with you?—It would be a quarter of an hour to 20 minutes.

1049. Did you see Humphreys in the morning?—Yes.

1050. Where did you see him?—He came on soon after 7 in the morning.

1051. I thought you told the Committee you left by the train that got to Ellesmere about that time?—No; I did not leave until the train that got to Oswestry at 9.40.

1052. Did not you say you saw Robinson?—Yes.

1053. Did not you say you met Robinson?—Yes, there were two trains that crossed at Ellesmere.

1054. When did you get to Oswestry?—About 9.40.

1055. Were you obliged to stay till that time?—No, I was not obliged; I took the block till about a ¼ to 9. I was in the box and took the block.

1056. Was it Humphreys' duty in the ordinary was to make the entries in this book?—Yes.

1057. Did he make them when he came on duty in the morning?—No.

1058. You went on making them?—Yes.

1059. But

Mr. *Somervell*—continued.

1059. But you are sure you did not see him between 10 o'clock that night and 7 or 8 o'clock in the morning?—I am certain that I did not see him.

1060. Are all the entries between the red lines in your handwriting?—Yes, except one.

1061. You are quite certain that the whole of the words inside those lines are yours?—Yes.

1062. When did you see the book again?—I could not give the date; I saw it when Mr. Conacher sent for me.

1063. Was it some time about the end of July or the beginning of August last year?—I think it would be about that time; I could not say for certain.

1064. Did you identify this handwriting from knowing your own handwriting, or because the facts were brought to your recollection that you were on duty at that time?—No; I pointed out my own figures and writing to Mr. Conacher, before they were pointed out to me.

1065 But were the red lines in before you saw it?—I do not remember seeing the red lines then.

1066. Do you think there was no red ink marking upon this book when you saw it?—I do not remember seeing any the first time.

1067. The red ink marking is very plain now, is it not?—Yes.

1068. You saw it twice, did you not?—Yes.

1069. Could you tell the Committee when those dates would be?—I could not tell you.

1070. But how long would there be between the dates?—It would be about a couple of months.

1071. The first time was in the end of July or the beginning of August?—About that time.

1072. And the other about the end of September or the beginning of October?—About that time.

1073. Did you say that there were no red ink marks the second time you saw it?—There were red ink marks the second time I saw it.

1074. Who showed you the books the second time?—Mr. Conacher.

1075. When he showed you that book, had he shown you anything else before, any other documents?—No.

1076. Not to refresh your memory?—No.

1077. You had not seen the pay-sheets?—No.

1078. What did he say to you when he showed you the book?—He asked me if I recognised my handwriting, or rather, I think, he asked me if I knew whose writing it was.

1079. Did he ask if you recognised any writing in that book, or did he point to any particular part?—No, he did not point to any particular part, but I recognised my own writing, and pointed it out to him.

1080. Did he ask you nothing about being on duty?—He asked me if I remembered being on duty.

1081. Do you remember that the red ink was not there when you saw it the first time?—I do not remember whether it was there or not.

Chairman.] I understood he marked it between the times the witness saw it.

Mr. *Somervell.*

1082. However, you are positive about the writing?—Yes.

1083. The whole of it?—Yes.

Mr. *Crawford.*

1084. Did you see Mr. Hood that night at all?—No.

Mr. *MacInnes.*

1085. It has been frequently suggested that you have made a mistake, and that some of those entries are not in your handwriting; if you were not there, of course none of it can be in your handwriting; it is suggested frequently that you have been mistaken as to the date, and that you were not there that night at all; can you give the Committee any grounds showing how it is impressed upon your memory whether you were or were not there, so that you could not have mistaken it for another night?—From the talk about my being there on the Friday night it was thought I was on there on the Saturday night: but I was told that I was to go on on the Friday night, and that they would supply a man at Ellesmere for the next night.

1086. What talk do you refer to?—The talk about the time of the accident which happened on the next Sunday morning.

1087. Was it before the accident or after the accident that you were there?—Before the accident.

1088. Therefore you think you cannot have mistaken it for any other Friday night?—No.

1089. You told the Committee Humphreys told you that Robinson had gone home; when did he tell you that?—That evening.

Mr. *Maguire.*

1090. On how many occasions did you take the night duty in Ellesmere?—That would be the third time. I took it twice before.

1091. And never since?—No.

1092. Were you always there during the same hours?—Yes, on night duty.

1093. You came by the same train, and went by the same train?—Yes.

1094. Did you, on the other occasons, see Mr. Hood?—Yes, I have seen him.

1095. You could give no reason why you did not see him on this occasion?—No.

1096. He was not away?—He was not away, so far as I know.

1097. But you did not see him?—No.

Sir *Joseph Pease.*

1098. You have no doubt whatever in your own mind that you were there that night?—I have no doubt whatever.

1099. You are certain you were there?—Yes, I am certain I was there.

1100. And for the hours you have named?—Yes, for the hours I have named.

Mr. *Radcliffe Cooke.*

1101. You say you did not see Mr. Hood there, and for all you know Mr. Hood did not see you?—I cannot say whether Mr. Hood saw me.

1102. He did not know you were there, for all you know?—No.

7 *March* 1892.

Mr. James Frederick Buckley, called in; and Examined.

Chairman.

1103. You are the Chairman of the Cambrian Railway Company?—Yes.

1104. How long have you been chairman?—I think about five or six years.

1105. You were present at the board meeting when the case of Station-master Hood was before them?—Yes, I was; I have been present at every board meeting, I think, since I became chairman of the company.

1106. Could you tell the Committee what passed when his dismissal was considered?—Before stating what I have to say upon this subject, may I be permitted to ask whether the Committee believe the allegation of Mr. Hood that the sleepers were rotten, and that that caused the accident at Ellesmere; and also whether they believe, as stated by Humphreys in answer to Question 344, that the same sleepers were surreptitiously removed to conceal the cause of the accident; because, if so, with the greatest respect, I should wish to claim on behalf of the company that Colonel Rich be asked to give his version and his knowledge of the accident, and also that our engineer might be examined, because this is a very serious charge to make against the company, and we are not in a position that those are, at this moment, who seem to be attacking the company, of having the assistance of well-briefed gentlemen to support our case. I think that it is only fair that I ought to ask before going into the facts of the case whether those gentlemen should not be called.

1107. Do you apply that they should be called—I should just like to put in that request if it is necessary. It simply amounts to this: that I understood, as regarded the engineer and also the permanent way man, who were in attendance on Monday last, that their evidence would not be required; therefore, I wish to say on this question of the rotten state of the permanent way, that is a point upon which we feel very strongly; we have been brought to task here, and we have been precluded from giving our evidence to refute it.

1108. You have not been precluded. I may say that what passed was this: Mr. Conacher asked whether we should desire to hear the engineer as to the state of the sleepers; he did not apply on behalf of the company that the engineer should be examined; he asked us whether we wanted him, and we said we did not. If you ask for him to be examined to justify your case that is for the Committee to consider. Do you apply that the engineer should be called?—I should prefer that Colonel Rich should be called, because he was the inspector who conducted the inquiry.

1109. Do you apply that both Colonel Rich and the engineer should be called?—I do, if any doubt rests upon the mind of the Committee upon that point.

The Committee-room was cleared, and after a short time the Witness was re-admitted.

Chairman.] The Committee have decided not to call evidence upon this question of the sleepers.

Witness.] Then in reference to the Crewe meeting——

1110. Is this the first meeting that you are now referring to?—No, the meeting of appeal, if I may so call it, by Mr. Hood.

1111. The Committee want to know what passed at the meeting at which Mr. Hood was dismissed?—I was about to explain matters which have a bearing upon that point, and I had wished to put in one or two remarks about the Crewe meeting as showing that Mr. Hood, at all events, did not believe that he was unfairly dealt with at that meeting by myself, as presiding at it. That was all I wished to allude to it for in the first instance. I will come back to the first meeting afterwards.

1112. I want to ask you some questions about the first meeting at which Mr. Hood was dismissed. Who brought the case before you?—The case was brought before us, of course, by our manager, in the first instance, by Mr. Conacher; he brought all these cases before us with very great reservation. I recollect his reluctance to say very much about it. He said, "Some cases here require your attention, and I wish you to deal with them as you think fit, quite independently of me."

1113. What did he bring before you in reference to Mr. Hood?—I think there was this case of Thomas on that occasion, and this case of Mr. Hood: cases of men who had certainly been connected with giving evidence here.

1114. But what did he bring before you with reference to Mr. Hood?—Of course I knew beforehand what was going to come up before this board. Mr. Conacher always acted to a certain extent under my instructions in matters which were to be brought forward or left out at the boards, if they were not ready for discussion, and in this case of Mr. Hood's the matter was brought before the board, and it was brought before the board after considering not only the evidence but the antecedents of Mr. Hood.

1115. But what was brought before the board?—The question of Mr. Hood's conduct.

1116. In what way?—In relation to the company, and the question primarily of his fitness and trustworthiness for an office such as that of agent for a station of the company.

1117. But what had Mr. Hood done which necessitated the raising of that question?—Mr. Hood had acted in a manner which we thought, at all events, was not trustworthy towards his employers.

1118. In what way?—I will say in what way: First of all in sending us in what we then discovered for the first time (it was discovered about that time) to be a false pay-sheet. This was only discovered after Mr. Hood had given his evidence here.

1119. What

Chairman—continued.

1119. What was the false pay-sheet?—It was the pay-sheet which you have had before you.

1120. By which Robinson was paid for the Friday night?—By which Robinson and Humphreys were paid for Friday night, whereas another man had worked and done the duty, and, I was going to add, for having paid away the moneys of the company to men who had not worked for them.

1121. That is the same matter?—It is the same matter entirely.

1122. Was anything else brought before the Board?—Yes, there were several other matters brought before the Board; I brought one before my colleagues on that occasion, I recollect.

1123. But with reference to Mr. Hood?—Yes, with reference to Mr. Hood, I brought one in connection with his general conduct years before at Ellesmere Station when I pressed my colleague to dismiss him as incompetent.

1124. Was that when he was removed to Montgomery?—It was prior to that time. I was not then chairman of the company, but I happened to be requested to visit the stations between Oswestry and Whitchurch, with a view to seeing in what condition they were, and how they were conducted by the agents.

1125. About what date would this be?—This would be before I became chairman; it was in the time of the late Marquess of Londonderry, who was then chairman; it would be, I think, about 1884.

1126. But why should you raise this question again?—Because it comes up naturally. When a man is brought before the Board on a question of conduct we look into his antecedents, naturally, directly.

1127. Then it was only in connection with the charge of which you have told the Committee?—It was in connection with a charge upon which he was held guilty of the greatest irregularity, that of making out a false pay-sheet and getting the money upon it. Then I go back upon my own experience and report to my colleagues that which I remember, that in 1884 this man's station was in a condition of the greatest irregularity; not only that but that, but that everything else inside this man's station was in disorder; that was my recollection of the man.

1128. That was bearing upon this charge?—Yes, certainly it was; previous character.

1129. Was there any other charge brought against Mr. Hood besides the one of sending in a wrong pay-sheet?—Yes; I was aware that he had attempted to grossly deceive (to call it by a mild name) another company.

1130. When?—I think it was in 1889.

1131. Those were old matters?—Yes; but this old matter was not brought to our knowledge until about the beginning of August 1891.

Mr. *Radcliffe Cooke.*

1132. Was there anything arising out of his examination and his evidence before this Commlttee except the pay-sheet?—Nothing but the pay-sheet, so far as our decision was concerned.

Sir *John Pease.*

1133. Nothing about the rotten sleepers and the state of the permanent way?—I was aware that that was entirely false; still we had good ground for taking our action entirely apart from any evidence that was given here before the Committee.

Chairman.

1134. You considered this charge?—Yes.

1135. And you dismissed Mr. Hood?—Yes.

1136. Did you dismiss him solely on account of the pay-sheet matter, coupled with the old matters, of which you have told the Committee?—Yes; coupled with the bad record, and with another matter to which I do not desire to attach too much importance, but which was not at all a thing to be expected from a trusted servant of the company. This man, I should explain, is not in the position of an ordinary servant or workman; he is our agent, who has to take charge and regulate the discipline amongst a number of men at his station; therefore we look upon our agents as being persons in a position of trust. Now, I do not think that this letter which I have in my hand would have been written by a man in whom we could put implicit confidence; for this reason: it shows that he had neglected to report to his superiors advances which were made to him by a man called Bather, who gave evidence here, and who was notoriously an enemy of the company, the company having refused to give him a free pass over their line, and so made him that enemy. Mr. Hood received a letter from Mr. Bather asking him for information about Humphreys, who was a witness here; Mr. Hood does not forward that letter, as he ought to have done, being a trusted servant, to his superiors, but he here admits that he "threw it away as I did not want to have anything to do with the matter."

1137. But you must read the letter if you make use of it?—I will read it: "3 June 1891. Memorandum from Montgomery Station to J. Conacher, Esq., Euston Hotel, London. James Humphreys, late porter, Ellesmere. I return the statement to yon with my remarks. Mr. Bather wrote to me a note asking me to give him information about the accident, but I did not reply to it, neither have I spoken to him about it. I threw the note away as I did not want to have anything to do with the matter. I have thought the matter very carefully over, and tried my best to remember, in order to give as correct information as I could to enable you to meet the case." That was not a satisfactory way——

1138. Had Mr. Conacher written to Mr. Hood on this subject?—Mr. Conacher had written, but I have not the letter at present.

1139. This was another reason in your mind?—That reason was in my mind; of course I do not know exactly what was in the mind of my colleagues, but I may say that at the directors' meeting they were unanimously of opinion that we could not retain Mr. Hood in a position of trust any longer.

1140. Because, on account of the matter of which you have told the Committee, you did not I consider

Chairman—continued.

consider him trustworthy?—We did not consider him trustworthy after what had transpired.

1141. There was no other circumstances which you had in your mind?—I cannot say that we were not cognizant of what had passed and of the grave charge he had made against our Company as to the permanent way; I cannot say that.

1142. Then there were other matters in your mind?—That was in the knowledge of every one of us, and we did not believe it; I may say we were unanimous in disbelieving what he had stated.

1143. Then there were two matters, the state of the permanent way and the question of the person who was on duty on that Friday night on which Mr. Hood made statements to the Committee; on both of those matters your opinion of him was that he was untrustworthy and, therefore, you dismissed him; was that so?—From our opinion of his untrustworthiness, absolutely bordering on what was a very very grave irregularity, namely, that in relation to the pay-sheet, because that certainly was a grave matter. He had returned to us false entries in his pay-sheet, and had paid our money away on them; that was a very serious matter. The question of his statements with reference to the permanent way we thought we might leave pretty well for further investigation, although we did not believe them, and, no doubt, they would prejudice our opinion of Mr. Hood; it is useless for me to suggest anything else. I do not know what passes through the minds of my colleagues in a matter of this kind. I think I may say there was very little discussion about it. My Board, as a rule I may say, is not a Board composed of men who are very arbitrary; it consisted at that time of the Lord-Lieutenant of one county, of the Chairman of the County Council of another, of Lord Henry Vane, of a Member of this honourable House, of the Chairman of the National Bank, of another director of the National Bank, and myself. I have had, I regret to say, something like twenty-five years' experience in taking and giving evidence, and taking arbitrations upon various matters, and I am sure that the way in which Hood's case was considered was exceedingly fair, and the favour shown to Hood from the commencement has erred upon the lenient side very considerably.

1144. Now you wish to say something, I believe, about the subsequent proceedings?—These are the proceedings at Crewe.

1145. But before we go to this, what did the manager say to the Board upon the subject of Mr. Hood's dismissal?—I recollect the manager saying to me exactly this: he said "I must leave this matter entirely in your hands."

1146. Did you ask his opinion?—I think one of my colleagues, after we had pretty well come to a decision upon the point, might have suggested something in the words I think expressed here by Mr. Conacher; I am not quite sure about it; of course there is a good deal of conversation at our Board amongst our various members and the manager; but I saw no alternative course in this case except to dismiss the man after his past record. And with reference to

Chairman—continued.

the Crewe meeting it was held, I ought to say, in consequence of an urgent appeal by Mr. Hood and in consequence of a petition got up in the neighbourhood. I may say that whenever a man is dismissed in a district served by the Welsh Railways, immediately a large public petition is got up to reinstate him; that is the invariable case. We had an accident only during the past month at Criccieth, where, through the neglect of a porter to obey the instructions of the Board of Trade a train went off the line. I have to-day received a petition numerously signed by everybody from the vicar or the rector of the parish down to the boys in the street, requesting the Cambrian directors to reinstate that man. In Mr. Hood's case, no doubt, a very largely signed memorial was sent signed by everybody in the same way almost. I felt that I should like to give Mr. Hood a chance of saying what he had to say, and I waited till the very next Board, and then I suggested to our colleagues that we should hold an inquiry, a sort of special committee, to hear what Mr. Hood had to say. That committee meeting was held at Crewe, and I presided over its deliberations and a copy of the notes is before you. I do not know that I need to go into any of the details, suffice it to say that the result was that we did not consider that Mr. Hood had mended his position at all, or said anything which entitled him to our confidence sufficiently to reverse our previous verdict. The notes speak for themselves. As I said, I have had some considerable experience both as a magistrate and otherwise, and I endeavoured to hold the balance as fairly as possible. That I did so shall be proved by my putting in a letter which I received from Mr. Hood. "10, [illegible]-street, Newtown, Montgomeryshire, North Wales. Oct. 17, 1891. J. F. Buckley, Esq., The Nook, Greenfields, Oldham. Sir,—As the Directors have finally decided not to reinstate me at Montgomery, I beg to ask you to grant me a private interview in order that I may lay before you several letters and documents which it is intended to publish together with particulars of my case. These documents will seriously affect the Cambrian Railway. I did not bring them forward at Crewe because I felt certain I should be reinstated (that was the opinion of almost everyone), and I was anxious to say nothing about them, if possible, but from your manner towards me at Crewe I have the impression you would do justice to me if you knew all. I will let you alone see the letters I have, but I cannot part with them, and if you grant me an interview I hope no one else will be present to take notes. If you will send me a pass I will come at a few days' notice. I do not like to injure the company as I have never done so, but I must defend myself as my family is well connected, my eldest brother being chairman of the local board at Redcar. The interview would occupy fully one hour in order for you to see all the letters, except one, which I cannot allow anyone to see till this Commission" (alluding to this Committee I suppose) "meets unless I am reinstated. Pardon me writing to you in this way, but my object, even now is, if possible, to keep the matter quiet, and as Mr. Conacher is leaving it cannot do him any harm now. Please treat this letter as private. I am yours, obediently,

John

Chairman—continued.

John Hood. P.S.—I could not very well come over night, as my health is very bad, but could get to Manchester by 12 o'clock noon same day."

1147. Did you see him?—Do you mean privately?

1148. Yes?—Certainly not.

1149. Did you make any reply to that letter?—Certainly not.

1150. Now, you are aware that Mr. Hood has denied the accuracy of the report of that meeting to which you have just alluded?—Yes.

1151. Did you hear his answers on that occasion?—Undoubtedly.

1152. You know the answers which he has denied?—Yes.

1153. Did you hear Mr. Hood make the answers which he has denied?—He says, "I dispute having said those words, 'I am very sorry.'" As a matter of memory, of course, I could not say now that every word was as it is put down in the report of the proceedings, but the effect of these answers was substantially as they are represented here; there is no doubt about it, not the least. There are other members of the committee; they are all here, and the gentlemen who were present on that occasion I have no doubt can corroborate what I say, that the effect was absolutely the same as that which is represented here. I might remark that this transcript of the evidence given at Crewe is as correct as any transcript of evidence that I have ever given. I have often been examined in this House and in the House of Lords on Bills, and I am sure that this evidence is as correct as that which I have had taken down here.

1154. Is there anything further which you wish to say?—Of course, subsequent to Mr. Hood's dismissal he has exhibited very considerable feeling, no doubt, but I do not know that that affects our reasons for dismissing him. What took place at this meeting at Crewe certainly endorsed the opinion which we had arrived at before, that he was not a fit and trustworthy person for us to employ; but, as I said before, that previous record was very unsatisfactory. Mr. Hood had one trial in 1887; he was removed; he was disrated to a certain extent; he was removed to a smaller station, and even that did not appear to us to have been a warning to him, because irregularities were pointed out to us which had arisen with respect to another company, which have not been entered into here.

1155. Had those irregularities anything to do with his dismissal?—They had undoubtedly a a very great influence upon the mind of the board when they found that he had been guilty of irregularities, which they would not have tolerated for one instant if they had known of them at the time.

1156. Are you alluding to matters which we have not had before us?—I am alluding to one matter which the Committee have not had before them.

1157. We want to know all the reasons which induced your directors to dismiss him?—Then I put it upon two grounds: the first reason which weighed with us very much indeed, and which had placed the thing beyond all doubt in our minds, was that false pay-sheet, the paying away of our money without its having been earned. That was the first point. Then, as I say, the previous record was unsatisfactory, and that would have confirmed our decision to dismiss Mr. Hood.

Chairman—continued.

1158. Then why did you refer just now to other irregularities?—Because those were in the previous record.

Mr. *Radcliffe Cooke.*

1159. You knew of them before that?—Yes, we knew of them before; we were well aware of the class of man we had to deal with.

Chairman.

1160. I think, as you have mentioned these other matters, you must tell the Committee what they were?—Mr. Conacher could have told you about it, but he has gone now.

1161. But you ought to be prepared to do it?—I cannot go into the details connected with the traffic in quite a satisfactory manner; but a case occurred in 1889 which was ferretted out and brought before us (brought before me, at all events) when Mr. Hood, being at Ellesmere, sent a hamper to a place called Stirchley, on the London and North Western Railway. This was a complaint which was made to us by the London and North Western Railway Company, and was afterwards investigated. So far as I can make out, the particulars are these: this is from Stirchley, under date 29th January 1889: "Memo. to Entwistle, Esq. H-pr. Hood. P. T. F. *ex* Ellesmere." (P. T. F. means particulars to follow.) "Referring to attached papers. This hamper was from Ellesmere for late clerk Hood. I have had the matter in hand for bill of particulars, and from enclosed papers you will see Ellesmere say they cannot trace, although I am satisfied they know what the case refers to. Will you please take up and obtain me a paid way-bill to clear my unentered book." That is from Lewis, of Stirchley, to Mr. Entwistle, his superintendent. Here is a copy of the memorandum from Stirchley, dated 12th January 1889. "Hood. 1 H-pr. P. T. F. Your w/b" (way-bill) "12th January to us. Enter up particulars at once. *J. L.*"

1162. What was the general effect of it?—The charge, before I go into the papers any further, is this, that Mr. Hood forwarded a hamper for his own son, who was a clerk at Stirchley, upon the London and North Western Railway, and that he tried dishonestly to get out of the payment for the carriage by making all sorts of excuses, by professing to know nothing about that hamper, and by pretending that it came from another place.

Mr. *Radcliffe Cooke.*

1163. May I ask if this was known to you before you held this inquiry and dismissed him?—It was not known to me until the end of July

Mr. *Radcliffe Cooke*—continued.

or the beginning of August, and Mr. Hood was dismissed upon the 6th of August.

1164. Was it not known to you till he was dismissed?—It was not known till shortly before.

Chairman.

1165. What was the amount?—The charge amounted to 1 *s.* 7 *d.* for 38 miles.

Mr. *Channing.*

1166. Do you know that a two-shilling piece was tendered for the carriage to the station-master at Stirchley, and that he refused to take it, and that all this was a mere squabble between the two?—I cannot say that. Our secretary probably would be able to go through these papers better than I can; but this is the letter sent about it from the London and North Western Railway Company's superintendent: "Referring to attached. Mr. Hood, your Ellesmere agent's action in this matter is very reprehensible. The hamper was for his son, and was no doubt from himself. Will you please take up and have a paid entry to Stirchley sent to me. His son deserted our service. I will tell you more at first opportunity." That is signed by Mr. Entwistle, of the London and North Western Railway Company, and you will find in this correspondence, which I was going to read through, that Mr. Hood, after sending this hamper, which he afterwards confessed to having done, suggests that they had better try Ellesmere Port to try and find out whether it had not come from there. He denies any knowledge of it, and tries to throw the thing on to another station when the inquiry is made of him from Stirchley.

Mr. *Radcliffe Cooke.*

1167. Might I ask whether, except the new material, the new irregularities unknown to you, which were disclosed by Mr. Hood's evidence given before this Committee, there were any other complaints upon which you acted in dismissing him which you did not know of before?—There was nothing that we did not know of on the 6th of August.

1168. But I want to know, when you were sitting upon the inquiry into Mr. Hood's general conduct and character, whether besides this charge of falsifying the accounts which came in in consequence of his evidence before this Committee, the other matters which you say constitute a bad record were not generally known to you, and had been gone into on previous occasions?—Some of them had, and this one I have just gone into had not.

Mr. *Channing.*

1169. Was it known to the general manager?—No doubt it was.

Mr. *Radcliffe Cooke.*

1170. When you set yourselves to making general inquiries, besides going into the falsification of the accounts, when you came to investigate the matter more closely, you made other quite new discoveries connected with his character?—Yes.

Mr. *Radcliffe Cooke*—continued.

1171. And in consequence of those new discoveries, combined with the falsification of the accounts disclosed here, you dismissed the man?—Yes.

Chairman.

1172. You spoke of "irregularities"; do you mean what you have stated to us?—Yes; this was an irregularity; it was a gross irregularity.

Mr. *Channing.*

1173. Then why did you use the plural, and talk of "irregularities"?—The other irregularities were those I related just now as occurring at Ellesmere, in the shape of deception, and so forth, and bad discipline at his station.

Sir *Albert Rollit.*

1174. Had the general manager ever reported this case before; I mean making a report at the time?—He did not report this case.

1175. Was there any record of it?—I presume not. Apparently he passed it over on Mr. Hood paying the money and apologising, I presume.

1176. Is there any record of it that you know of?—No, except in the correspondence I think, which I have here.

Chairman.

1177. Will you hand in those papers relating to the transfer?—I will.

The following telegrams and correspondence were handed in:—

MEMO.

Stirchley to *Ellesmere.*

"12 January 1889.

"Hood, 1 hamper, P. T. F.

"YOUR way-bill, January 12th, to us. Enter up particulars at once. *J. L.*"

"21 January 1889.

"Stirchley, Ellesmere, Cambrian.

"Hood, 1 hamper.

"MINE of 12th inst. hereon. Hand paid way-bill of charges at once ere I write superintendent. *J. L.*"

MEMO.

Hood to *Stirchley.*

"L. N. W.

"23 January 1889.

"I HAVE not received any letter from you before. What is it about? Hand copy of your letter of 12th instant.

"*J. Hood.*"

MEMO.

Stirchley to *Ellesmere.*

"24 January 1889.

"Hood, 1 hamper, P. T. F.

"YOUR way-bill, 12th inst., to us. Send paid bill of charges, per return. *J. L.*"

MEMO.

Hood to *Stirchley.*

"L. N. W.

"26 January 1889.

"Hood, 1 hamper, P. L. L.

"CANNOT trace anything going from here, P. L. L., on this date. Are you not in error in writing us instead of Ellesmere Port? if not hand o. bill, or copy.

"*J. Hood.*"

MEMO.

Stirchley to *Entwistle.*

"29 January 1889.

"Hamper, Hood, P. T. F., *ex* Ellesmere.

"REFERRING to attached papers. This hamper was from Ellesmere for late clerk, Hood. I have had the matter in hand for bill of particulars, and from enclosed papers you will see Ellesmere say they cannot trace, although I am satisfied they know what the case refers to. Will you please take up and obtain me a paid way-bill to clear my unentered book.

"*J. Lewis.*"

MEMO.

Entwistle to *Conacher.*

"30 January 1889.

"Hood's Hamper.

"REFERRING to attached. Mr. Hood, your Ellesmere agent's action in this matter is very reprehensible.

"The hamper was for his son, and was no doubt, from himself.

"Will you please take up and have a paid entry to Stirchley sent to me.

"His son deserted our service. I will tell you more, at first opportunity.

"Yours,

"*J. Entwistle.*"

(Enclosure.)

Letter.—31st January 1889.

Conacher to *Entwistle.*

"I AM in receipt of your letter of yesterday, with enclosures, and will at once inquire into the matter and communicate further with you.

"Yours truly,

"*J. Conacher,*

"Secretary."

Letter.—31 January 1889.

Conacher to *Hood.*

"Hood's Hamper.

"Dear Sir,

"I HAVE received from the London and North Western Company way-bill from Ellesmere to Stirchley of a hamper, addressed 'Hood, the Station,' entered, 'Particulars to follow,' on 12th instant, together with copies of subsequent communication from Stirchley station, and your replies of the 23rd and 26th instant thereto, in which you state that you cannot trace anything going from your station on the day in question. Please let me have your explanation of the matter.

"Yours truly,

"To Mr. Hood, "*J. Conacher,*

"Ellesmere." "Secretary."

MEMO.

Hood to *Conacher.*

"5 February 1889.

"Hood's Hamper.

"Dear Sir,

"PLEASE hand me a copy of Stirchley letter of January 12th, said addressed and sent me on that date, as it has never been received here, and I will then reply fully. I asked Stirchley to send copy, but they have not done so.

"Yours obediently,

"*J. Hood.*"

Letter.—9th February 1889.

Hood to *Conacher.*

"Hood's Hamper.

"Dear Sir,

"MY explanation for having entered this hamper particulars to follow, is as follows: When at breakfast on the date it was sent (12 January), my wife said she would most likely have a hamper for my son, to go by 8.58 a.m. train. I went to my work, and just before the 8.58 a.m. train was close to the station, Mrs. Hood came to me and said the hamper was ready to go, and I at once went into the house for it, and on bringing it down the train was coming in, and not knowing if the distance to Stirchley was under or over thirty miles, and not having time to look, I sent the hamper, particulars to follow, and entered the charges up afterwards. The way-bill of charges was addressed by myself to Parcels, Stirchley, L. N. W., and I put it in the letter-box and sent it on 12th January.

"With regard to my replies of 23rd January and 26th, I was not certain Mr. Lewis was referring to the same hamper, hence my replies. If I had thought he was referring to the hamper sent on the 12th, I should have referred him to the way-bill of charges. I understood further, that Stirchley's letter of 24th January referred to Passengers' Left Luggage. Had he sent me a copy of his letter of 12th January and a copy of the particulars to follow entry, I should have

known what he meant. I am sorry I did not reply to your letter of 31st January sooner, but it was owing to being very busy with the monthly returns.

"Yours obediently,
J. Hood."

Letter.—11th February 1889.

Conacher to *Hood.*

"Hood's Hamper.

"Dear Sir,

"I RECEIVED your letter of the 5th inst., six days later than it should have come, and have also before me Mr. Vaughan's report of his personal inquiry at your station.

"I regret that the course you have adopted in this case compels me to receive with reserve the explanation you have given of what occurred on 12th January, but I cannot on any consideration believe that when you wrote to Stirchley on 23rd and 26th of January you were not perfectly well aware of the matter to which the inquiry related. The object of your reply of the last-mentioned date is, therefore, quite obvious. Return the enclosed to be exchanged for a 'paid' entry, which please send to me without further delay.

"Yours truly,
"*J. Conacher,*
"Secretary."

Letter.—12th February 1889.

Hood to *Conacher.*

"Hood's Hamper.

"Dear Sir,

"I DID not receive your letter till 9.51 p.m. on the 31st, so that I could hardly be expected to reply to it that night. I really did not look at the matter as important, as, knowing I had done nothing wrong, I could not see how I could be blamed. I am sorry you do not rely on my statement, but there are other matter, connected with this matter, and which lead to its that I should like to explain to you personally, and for which I have very strong objections to send a paid way-bill. It is not a matter of money; for the money, a two-shilling piece, was offered to the agent at Stirchley on the 12th, and he flatly refused to accept it, saying to my son, 'I will not accept payment; I will make your father send a paid way-bill.' The gross cruelty and persecution myself and my son have been subjected to by the London and North Western officials without the slightest provocation is almost more than I can bear, and what with one thing and another I am almost unfit to go about. Please allow me to speak to you on this matter to-morrow.

"Yours obediently,
"*John Hood.*"

Letter.—12th February 1889.

Conacher to *Hood.*

"Hood's Hamper.

"Dear Sir,

"I KNOW nothing of what has taken place at Stirchley, but, in my judgment, the proper way of settling the matter is to send a paid way-bill, and you will please forward one to me at once.

"Yours truly,
"*J. Conacher,*
"Secretary."

Letter.—13th February 1889.

Hood to *Conacher.*

"Hood's Hamper.

"Dear Sir,

"I AM very sorry you ask me to do so, but as you instruct me to send you paid way-bill, I beg to enclose one as requested.

"Yours obediently,
"*J. Hood.*"

Letter.—14th February 1889.

Conacher to *William Finchett,* Esq.,
Audit Clerk.

"Hood's Hamper; *Ellesmere* to *Stirchley,*
"12 January; 1 *s.* 7 *d.* to pay.

"Dear Sir,

"I UNDERSTAND the above entry will not be taken to account by Stirchley, and when the inaccuracy statement comes from the Clearing House it must be erased from our acconnt, a paid entry for the same amount having been forwarded to the London and North Western Company.

"Your truly,
"*J. Conacher,*
"Secretary."

Letter.—14th February 1889.

Conacher to *Entwistle.*

"Hood's Hamper.

"Dear Sir,

"WITH further reference to your letter of the 30th ultimo. I return your papers in this case, together with a paid entry, and have dealt suitably with the matter.

"Yours truly,
"*J. Conacher,*
"Secretary."

MEMO.

Entwistle to *Conacher.*

"Hood's Hamper.

"14 February 1889.

"WITH reference to conversation with you on 7th inst., kindly send me a paid way-bill, as up to the present it has not been sent direct to Stirchley. *J. E.*"

Letter.—15th February 1889.

Conacher to *Entwistle.*

"Hood's Hamper.

"Dear Sir,

"I AM in receipt of your letter of yesterday, which would cross mine of even date, enclosing paid way-bill.

"Yours truly,
"*J. Conacher.*
"Secretary."

MEMO.

Entwistle to *Conacher.*

"16 February 1889.

"Hood's Hamper.

"YOU do not appear to have observed that Mr. Hood has written on the way-bill of 13th February, originally entered 12th January, 1 *s.* 7 *d.* to pay.

"This is not a fact, as you will notice by the original way-bill attached; the hamper was simply entered P. T. F. This makes the case still worse than before, and I shall be glad to hear from you."

Copy of original Way-bill.

"Cambrian Railways, L. N. W., from Ellesmere to Stirchley.

"12 January 1889.

Description. Name. Destination. Weight. To Pay.
Hamper. Hood. Station. 38 lbs.

"Particulars to follow."

Copy of To-Pay Way-bill.

"Cambrian Railways, L. N. W., from Ellesmere to Stirchley.

"12 January 1889.

Description. Name. Destination. Weight. To Pay.
Hamper. Hood. Station. 38 lbs. 1 *s.* 7 *d.*

"Sent you P. T. F. this day."

Letter.—18th February 1889.

Conacher to *Entwistle.*

"Hood's Hamper.

"Dear Sir,

"I AM in receipt of your letter of 16th instant. When the matter was personally inquired into at Ellesmere Station, a copy of a 'to-pay' entry was produced, and was found to have been abstracted, but I decline to recognize that entry. You may, therefore, erase the reference to the 'to-pay' entry on the bill which I now return.

"Yours truly,
"*J. Conacher,*
"Secretary."

MEMO.

Stirchley to *Entwistle.*

"12 March 1889.

"Hood's Hamper.

"I HAVE now received the attached through Audit Office, and I shall be glad if you will obtain me clearance voucher from the Cambrian Company referring to Ellesmere paid bill of 13th February to us.

"It is evident Ellesmere have done their best to cause as much trouble as possible in this matter or they would have handed me a copy of this way-bill when I first applied to them for the same, instead of pleading ignorance in the matter.

"*J. Lewis.*"

MEMO.

Entwistle to *Conacher.*

"13 March 1889.

"Hood's Hamper.

"REFERRING to the enclosed, please favour me with your voucher in clearance. *J. E.*"

Letter.—14th March 1889.

Conacher to *Entwistle.*

"Hood's Hamper.

"Dear Sir,

"THE 'to-pay' entry has been withdrawn by us, and I think it would be well for your people to adopt the same course.

"Yours truly,
"*J. Conacher,*
"Secretary."

MEMO.

Entwistle to *Conacher.*

"20 March 1889.

"Hood's Hamper.

"STIRCHLEY cannot withdraw the entry as Audit have issued inaccuracy, which they have noted, and placed the 'to-pay' entry from Ellesmere in March Appendix. Please send me your voucher. *J. E.*"

Letter.—21st March 1889.

Conacher to *Entwistle.*

"Hood's Hamper.

"Dear Sir,

"I AM in receipt of your letter of yesterday, and send voucher herewith as requested.

"Yours truly,
"*J. Conacher,*
"Secretary."

Letter.—15th July 1891.

Conacher to *Entwistle.*

"Hood's Hamper.

"Dear Sir,

"With reference to your letter of 30th January 1889, I shall be glad if you will return me the papers in this case for a short time. Kindly give the matter early attention.

"Yours faithfully,

"*J. Conacher.*"

Memo.

Entwistle to *Conacher.*

"23 July 1891.

"Hood's Hamper.

"Herewith I send you the papers, including 'o. bill.' Kindly return them all as early as possible. *J. E.*"

Chairman.

1178. Have you now told the Committee all the reasons that induced you to dismiss Mr. Hood?—I think I have gone through them all. In our judgment we came to the conclusion that he was not a trustworthy person and we dismissed him; we heard him at Crewe; I think the evidence given at Crewe is before the Committee.

Sir *George Trevelyan.*

1179. Might I ask how many witnesses from among the staff of the Cambrian Railway appeared before this Committee?—Do you mean at Crewe?

1180. No; how many witnesses from your staff appeared before this Committee altogether?—I am not aware of that.

The secretary stated that the number was ten, exclusive of Mr. Conacher.

1181. How many of those have left your service?—I do not know; the only absentees from the service now are Mr. Hood and Thomas.

1182. And James Thomas; there are three that have left?—Three have left; James Thomas I did not recollect at the moment.

Sir *Joseph Pease.*

1183. John Jones; he was one of yours?—He is in the service now.

1184. And Alfred Thomas?—Thomas Hughes is here now; Alfred Thomas is dismissed; that was the man who was discharged for annoying the other signalman.

1185. John Bunting, Kingstone, Jones, Day, and Slim?—The rest are all in the service except Mr. Hood.

Sir *George Trevelyan.*

1186. Bunting was one of yours?—Yes, Bunting is in the service yet.

Sir *George Trevelyan*—continued.

1187. Kingstone?—He is in the service yet.

1188. Day?—He is in the service still.

1189. Evan Jones?—Yes, he is with us still.

1190. Albert Slim?—Yes.

1191. Is that the end of your list?—Station-master Hood has gone; James Thomas resigned on the 9th May 1891.

1192. And his evidence was given on the 21st of April I find. Now, in Question 603 of the evidence this year, I asked Mr. Conacher whether when Mr. Hood came before the meeting at Crewe, he had the cause of his dismissal stated to him by the chairman; Mr. Conacher said that he had not. Then I said that he was informed that he must apply himself to justify his evidence before the Select Committee, and I asked "Where does the chairman state the grounds upon which the man was dismissed?" Mr. Conacher answered, "He does not specifically state them, but those grounds are brought out in the proceedings;" we have the proceedings before us with the grounds as there brought out. Now I do not want to repeat the cross-examination which I applied in the case of Mr. Conacher; I just want to ask you one or two questions. Do you agree with Mr. Conacher that the grounds of the dismissal are brought out in those proceedings at Crewe?—Yes, the main grounds are brought out undoubtedly over and over again.

1193. And those main grounds are three: everything that was connected with the night of Friday; the alleged falsification of the pay-sheet; the question of the state of the permanent way, and the observations which Mr. Hood had made about it before this Committee; and thirdly, the question of Mr. Hood having applied to this Committee for his railway fare; those were the three things that were brought out in these proceedings?—Yes; the question of his conduct in the way of trying to prejudice our company by suggesting, or allowing it to be supposed, that we were not willing to pay the man's fare came in afterwards; we knew nothing about it at the time.

1194. But it was put forward by Mr. Conacher, or one of the directors, as one of the charges against Mr. Hood?—It was mentioned undoubtedly.

1195. It was mentioned at very considerable length; in fact it was rather more than mentioned; the directors used some very strong language about it?—I know; but Mr. Hood was only on appeal there; he was dismissed in the first place upon the 6th of August, and this meeting was not held till the 30th of September.

1196. Suppose a man is dismissed without any cause being given, then he asks for an interview in order to be informed of the cause; he comes to this interview, and certain charges are stated to him; he does not ask to have the case inquired into, but certain charges are stated to him; surely those charges are considered in the mind of the directors to be part of the ground of his dismissal?—The ground upon which he was dismissed specifically, the only charge which was

gone

Sir *George Trevelyan*—continued.

gone into at Crewe, was the main charge of the falsification of the pay-sheet.

1197. But here are nearly two columns referring to the question of his asking our committee clerk for his ticket?—That point arose afterwards; it was simply confirmatory of his behaviour towards us previously.

1198. But it was one of the charges which was brought forward at this appeal meeting?—It had nothing to do with his dismissal, although it might be a reason for preventing his reinstatement.

1199. Was this the first opportunity that Mr. Hood had of knowing the reasons for which he was dismissed?—I do not know.

1200. Mr. Conacher states that the directors are responsible for the dismissal of Mr. Hood; was this the first opportunity that Mr. Hood had of knowing why he was dismissed?—It was, undoubtedly, the first opportunity that he had of appealing for reinstatement. We dismissed him and never sent for him to come before us; we never had him before us on the 6th of August.

1201. Mr. Conacher states that Mr. Hood was not distinctly told until the meeting at Crewe, when the chairman told him in the words to which Mr. Conacher referred us; do you agree with that statement?—I scarcely think that those words can be made to bear that construction. My words were these, "The directors believed when they came to their recent decision relating to yourself that they had before them all the facts of the case to enable them to come to a judgment;" of course we had the papers; we had the pay-sheets; we had Colonel Rich's report so far as the permanent way went. "Of course they had all the correspondence, but in consequence of the letters you have written to me the board have thought it desirable to give you an opportunity of making any statement you may wish to do. You must understand that your dismissal was not because you gave evidence before the Select Committee; you were summoned to give evidence; but you must address yourself to the question of the justification of the statements you made there. We do not object to your giving evidence, but you must justify what you said;" and then Mr. Hood makes his statement.

1202. But I want to know what you mean by that; if it means anything it means that Mr. Hood had a right to give evidence, but that he had given evidence the nature of which had caused his dismissal?—He had brought to our knowledge by that evidence, most certainly, the fact that he had issued false pay sheets; it could not be otherwise; we could not have found it out otherwise.

1203. Mr. Hood asks to have his case reviewed or re-considered; he comes up and a meeting is held for the purpose, and the account of it before us is that he was told to justify his evidence before the Committee; that is all that passes; then he proceeds to justify it; he omits apparently that point as to the ticket, upon which Mr. Conacher and the directors bring this up against him?—At the time of Mr. Hood's dismissal we knew nothing about that.

1204. Then why did you bring it up against him?—I do not know that I did bring it up

Sir *George Trevelyan*—continued.

against him; Mr. Conacher might have done it (*referring to the Report*). I was just looking to see who brought it up.

1205. That was another of the charges you brought against him?—It was only another proof of the intention of the man to injure the Cambrian Company as much as possible.

1206. The really important question is this: the question of the 44 hours and the alleged irregularities which went on on that Friday night; now how long have you been a director of the Cambrian Company?—I suppose I have been a director since 1879, perhaps.

1207. Almost all that time, apparently, and until quite lately the system was going on under which men worked 36 hours continuously; did that come within your knowledge?—It did not come within my knowledge.

1208. Then how did it come within your knowledge; what was the reason that so very remarkable a practice did not come within your knowledge?—For so many years, as I thought Mr. Conacher endeavoured to explain, we had a great deal to think about in addition to looking into the question of the hours of labour.

1209. But it must have been in the knowledge of somebody, surely?—It must have been in the knowledge of the men, and it must have been in the knowledge of the station-master for the time being.

1210. Then the station-master must have been guilty of the suppression of the truth, else it would have come within your knowledge?—It might or it might not.

1211. How do you mean?—The station-master might think that the practice had been handed down to him for years and years back, and he might therefore think it was not necessary to report it; so much attention was not drawn to these things years ago as we have had drawn to them of late.

1212. Questions of men working 36 hours?—Working long hours; that 36 hours was very occasional, and at stations where the work was generally extremely light.

1213. Mr. Conacher admitted that it was a system of deception; now how can a system of deception continue without a certain lax management being the rule among the middle officers of the company?—I demur to its being the rule.

1214. But it must have been the rule judging from the evidence?—I have seen one case proved, a case at the Oswestry yard, and I should like to know another.

1215. Have you dismissed everybody connected with that?—No, we have not dismissed anybody connected with it.

1216. Why not?—Because the offence, if I may so term it, was done away with before we found out anything about it.

1217. So, surely, were a good many of these stories you brought up about Mr. Hood?—No; the system of overworking men at Oswestry was done away with very soon after Mr. Conacher became general manager, and after he had an opportunity of overhauling all the details.

1218. Did you ever go back upon this deception, or laxity of management?—I do not call it deception at all.

1219. But they kept back from their superiors

Sir *George Trevelyan*—continued.

the fact that the men were working 36 hours?—Occasionally; once a fortnight; the moment Mr. Conacher discovered it he put an end to it; it was ended long before this question came before the Committee.

1220. The real point of the matter is that Mr. Hood says that his desire was to screen the company from the Board of Trade, because of Humphreys' long hours; I ask you whether a system of working 36 hours (because it was at any rate done once a fortnight) could have been kept up unless people in the rank of Mr. Hood had taken measures to screen the company?—It was not at Mr. Hood's station.

1221. I know that well enough; I am now talking of what was the system of the company; unless the officers of Oswestry had made it a point of honour to screen the company this system could not have gone on?—Mr. Hood's crime was not working the men 44 hours.

1222. His crime was that he had falsified the pay-sheet, and he gives as the reason for that that he tried to screen the company from the Board of Trade. I ask how could this system have been kept up unless people in the position of Mr. Hood, but elsewhere, had tried to screen the company?—It was only discovered at one station, and the moment it was discovered it was put a stop to.

1223. But the people were not punished for it retrospectively?—I am not aware that they were, nor was Mr. Hood punished for it.

1224. But what was he punished for?—I told you a little time ago it was for falsifying the pay sheet, and taking the money of the company, and paying it away to parties who had not earned it.

Mr. *Channing.*

1225. Did you say at this inquiry, "You have tried to screen Porter Humphreys, and this is what it has brought you to"?—Undoubtedly, if those expressions are put down to me I do not dispute them.

Sir *George Trevelyan.*

1226. Mr. Hawkins at this meeting says he does not approve of men being employed 40 hours, and I daresay he would not approve of men being employed 36 hours; now how did this system come out of the men being engaged 36 hours?—Mr. Conacher has told you about it, I think.

1227. But I want it from you?—He had discovered and put a stop to it before this Committee was appointed.

1228. But it was made public by Mr. Bather as far as I understand?—No doubt it was, but it had been discovered long before that had been stated here.

1229. You regard Mr. Bather as an enemy of the company. Now what Mr. Bather did was to bring to the knowledge of the company what they themselves say they disapproved of exceedingly?—Mr. Bather did that undoubtedly, but I think Mr. Conacher gave reasons why Mr. Bather did it.

1230. He may have done so, but he did bring it forward at all events?—Yes.

1231. And you regard him as an enemy of the company for bringing these cases forward?—I do not for that reason; but I regard him as an enemy of the company from the time he expressed his determination to take a certain course if he could not have a free pass.

Sir *George Trevelyan*—continued.

1232. That is the course he took, and not his motive?—That is the origin of it.

1233. This very serious state of things has now been brought before the public, I think everybody will allow, owing to Mr. Bather's action, whatever his motive. Now suppose a man who sees a great abuse going on, writes to the only people who can be cognisant of the abuse, is it treachery of those people towards their employers not to inform their employers of it?—The duty manifestly of the sub-agent or agent is to forward to his superior any communication he gets; else what becomes of the discipline of the company.

1234. No authentic intelligence could be got, could it, according to that theory, of the greatest abuses. If it were a matter of disloyalty punishable by dismissal, I do not say to give information, but to conceal what had been asserted, how would you say it could be discovered?—I think it could be discovered in a fair and upright way without trying to suborn the agents of the company.

1235. How could you find it out apart from the agents of the company; by setting men to watch a box?—You could find out from the workmen of the company.

1236. By setting men to watch a box?—Those would be workmen; I draw a great distinction between an agent of the company, such as a station-master, who has the control of and is responsible for a number of workmen, and the workmen themselves, such as engine-drivers, firemen, guards or porters.

1237. Supposing you had kept Mr. Hood on, what result would have happened to the company, do you think?—I should never think of keeping on a man whom once I had found to be thoroughly untrustworthy.

1238. In what respect?—After these disclosures, like that of the pay-sheet.

1239. Which he says was to screen the company?—I do not care what it was for; nobody asked him to screen the company.

1240. In continuing that practice which Mr. Conacher admits could only have been kept up by deception on the part of the agent of the company?—But that practice at Oswestry was not kept up by false pay-sheets.

1241. Whatever it was it must have been kept up by deception?—At Oswestry there were no false pay-sheets.

Mr. *Channing.*

1242. Have you or Mr. Conacher gone through the Oswestry pay-sheet to ascertain that they have been without falsification?—I have not gone through the Oswestry pay-sheets. There is no evidence to show that the Oswestry pay-sheets had been falsified; but there may be such cases.

Sir *George Trevelyan.*

1243. There are two cases in which Mr. Conacher, a man of high honour, has given an inaccurate answer as he admitted to the Committee; I asked him quite courteously, and he admitted it; and the second case amounted to a very

Sir *George Trevelyan*—continued.

very serious matter; he said he had not recommended the dismissal of Mr. Hood; and, afterwards, on being asked at the meeting whether he ought to be kept in the company's service he said he told the directors he ought not; I do not consider two cases of discrepancy in Mr. Conacher's evidence as going at all against the character of Mr. Conacher; I distinctly say that; but they are the same sort of discrepancy as that for which Mr. Hood was discharged?—I do not admit it.

1244. I must say I think they are?—I deny it.

1245. I want to know if you deal in a different way under the same state of things, between a station-master and a manager?—I dispute it altogether; not for a moment do I admit it.

Mr. *Channing.*

1246. Mr. Conacher in his evidence before the Committee, on page 334, makes the most positive statement before the Committee that Humphreys was not on duty, because the night man had been on duty the previous night; Mr. Conacher came here and gave that evidence before this Committee without any reservation, whereas afterwards the facts looked into showed that he had no right to give that evidence at all?—Yes, he was misled by the false pay-sheet evidently; the block telegraph book, the book which throws so much light upon the whole thing, was not found till long afterwards.

1247. Was that pay-sheet in his possession at the time?—Yes, the pay-sheet was, and he was misled by the pay-sheet when he gave that answer; he had not then the block telegraph book which showed that Stokes had been there.

1248. You said that Mr. Conacher, when he became manager of the railway, reviewed all these arrangements?—I think he was appointed general manager formally in 1890, and I think in October he said he put an end to this state of affairs at Oswestry under which men took an extra night's duty once a fortnight.

1249. He was not appointed general manager till 1890?—Not formally; he was in charge as secretary and manager, but not general manager until 1890.

1250. But still he had access to the pay-sheets in the office, which would have been sent in to him for six years previously to that?—During some years; I do not know how many.

1251. Do you, or do you not, consider it satisfactory that the general manager for those six years should have had the pay-sheets before him and did not call the attention of the directors to those long hours during all those years, and did not observe them for all those years?—We had many allowances to make for the state of the line during that time, owing to the fact that at that time it was in the hands of a receiver, Mr. Conacher being the receiver, and having to do the duty of receiver; and that for another period Mr. Conacher's time and attention were entirely engaged in promoting a scheme in Chancery to consolidate the stocks of the company, which were reduced, speaking from memory, from 64 to 8 or something like that; and then after that Mr. Conacher was very much engaged with the Southern connections, the Welsh Union,

Mr. *Channing*—continued.

and the absorption of the Mid-Wales; and I may say that no doubt Mr. Conacher's time was so taxed that he had very little to spare in which to go into the details of the traffic management. There is no doubt about that, and we were not in a position to aid Mr. Conacher; that is to say, by the appointment of subordinates affording that assistance which would have enabled him to have these minor matters dealt with; we were not well enough off; the whole of the Cambrian history has been to a certain extent a poor existence, and it greatly affects the management of a railway where you cannot afford to do anything for it.

1252. The time of Mr. Conacher was so occupied that he could not look into any of these details for the five or six years he was practically working as traffic manager?—It appears that he did not look into this particular detail.

1253. Is it not perfectly plain, then, that the subordinates of Mr. Conacher must have been aware of the irregularities which arose from his inability to check those details?—I do not look upon this particular case of 36 hours as being a great irregularity; there was nothing fraudulent in it, and nothing in it except that the men were willing and wished to do this long duty, and after it was abolished they wished and expressed the wish to be allowed to do it again.

1254. But Mr. Conacher states that he was only accidentally informed of the long hours in 1890?—Yes.

1255. By the station-master?—Yes.

1256. And he knew nothing about it for years; I ask does not that show that the heads of the departments knew very little of what was going on as regarded the arrangement of the duties of the subordinate men at the stations?—I do not suppose they would necessarily inquire into those matters when the traffic worked smoothly; it did not come before them specially to deal with it. These men did not complain to Mr. Conacher, and they saw him every day.

1257. You have given a statement of various irregularities which you say you took into account, and which you wish the Committee to understand were the governing reason of your dismissal of Mr. Hood?—I have given the record which, with the falsification of the pay-sheet, was sufficient to dismiss any man.

1258. Now I ask you how is it that none of these irregularities were referred to at the inquiry at Crewe?—They were quite unnecessary to be referred to at Crewe; I think enough was said at Crewe without those matters.

1259. If Mr. Hood had given a satisfactory explanation of the whole amount of his irregularities, and of his evidence given before this Committee, you would have reinstated him?—But he did not give a satisfactory account of the falsification of the pay sheet which was the main thing; the bad record was only an additional one; he admits at Crewe that the pay-sheet was wrong; therefore, there was no need to go any further; I stopped him.

1260. But to follow up this point, is it not the fact that it was within your knowledge that Mr. Hood was not himself on duty on this night in question, and that he therefore could not person-

Mr. *Channing*—continued.

ally know by his own eye-sight who was taking duty that night?—He ought to know.

1261. Did not Stokes inform you that he did not find Mr. Hood at all?—Yes; he said Hood's son was there.

1262. But that is not Hood himself, is it?—No, but the clerk was there.

1263. What clerk was there?—Robinson.

1264. Do you say that Robinson was there?—I understood the evidence to be so to-day, or at all events he had just gone away, but Robinson he said was there the next morning and saw him go away.

1265. It was within your knowledge that Mr. Hood himself did not actually see either of those men on duty that night; he was not an eye-witness of who was on duty that night, was he?—I think it did not appear that he was on duty that night.

1266. Now, as regards this bad record, you say that in 1884 you inspected his station and reported that his station was negligently kept?—Yes.

1267. Is it the fact that year he received the usual prize from the company for a well-kept station?—It is not; he received condemnation instead of a prize.

1268. What year did he receive a prize?—He received a prize for having flowers, and so on, one or two years at Montgomery; but he never received anything at Ellesmere as far as I know.

1269. Anyhow, after this report of yours of neglect at this station, it appears from your own evidence that he kept his station in very good condition afterwards?—It arose this way: when he got to Montgomery, that being a very new station, recently embellished, and I might say that it is near the residence of one of our own local directors, there is no doubt that a very different state of things existed at Montgomery from what existed at Ellesmere.

1270. At all events that one point is disposed of by the fact of your giving him prizes for keeping his station in good order?—Keeping the garden in good order.

1271. "For a well-kept station"; are not those your words on the circular?—Yes, that is so; there is no doubt there was an improvement.

1272. You say that fault was found with him at Montgomery; you have said that his removal to Montgomery was not a warning to him to conduct himself properly in the position of station-master?—I should think that it was a warning.

1273. But you said it was not a warning?—I do not think I said that.

1274. You said "even removal did not have that effect"; I want to know, did you raise his wages after he went to Montgomery?—His wages when he was at Ellesmere were 33 *s.* a week. On going to Montgomery those wages were reduced to 29 *s.* a week.

1275. Were they subsequently raised to 33 *s.*?—They were put up as all the wages of the

Mr. *Channing*—continued.

employées of the company were at that time for the purpose of bringing the odd shillings of the week per man into even pounds as far as possible. It was in connection with the Superannuation Scheme, that where wages were close on a round sum they were made a round sum by the year in order to facilitate the calculations for this fund; and by that means it would appear that Mr. Hood got 1 *s.* 9 *d.* a week more in effect; that instead of having 29 *s.* a week he got 80 *l.* a year.

1276. You say he did not take the removal to Montgomery as a warning; your own evidence shows then that he so conducted himself that you did not consider he deserved, at all events, to be docked of this additional pay or to have his pay reduced; you gave him this addition without qualification?—It was made up by 1 *s.* 9 *d.* a week in order to bring it up to the figure I have named.

1277. You did not give him a warning?—No.

1278. Nothing further occurred at Montgomery?—No.

1279. Now you stated at the beginning of your evidence that the matter of his dismissal was not first mooted at the directors' meeting upon the 6th of August, but was discussed personally between you and Mr. Conacher before that date; I want to know when the first discussion took place between you and Mr. Conacher with reference to his removal?—Certain facts were known to me, but I cannot tell you how long before the meeting; it might be a day or two. When Mr. Conacher informed me that he wished certain questions considered at that meeting I naturally wanted to be posted up with the information which I should require.

1280. Did this conversation between you and Mr Conacher arise directly out of the evidence that Mr. Hood gave before this Committee?—It would come to me naturally when I knew that the conduct of Mr. Hood, and that of other people, was to be considered; it would be only natural that I should discuss it with him and wish to have the details perhaps the day before; I cannot say how long before; it might be a day or a week; I cannot say.

1281. You have included "other witnesses"; may I ask you, after the evidence was given here by the witnesses, did you meet Mr. Conacher and go over with him *seriatim* the various witnesses and their evidence to see, with Mr. Conacher, the charges which could be made against these men?—No, I did not; certainly not at that stage.

1282. When did these points you have mentioned come to your knowledge?—I never have forgot Mr. Hood's behaviour at Ellesmere, and I never forgot suggesting that he should be dismissed three years before.

1283. I will ask you when did this conversation take place; how soon after he gave his evidence?—I should say it was within a day or two of the meeting upon the 6th of August.

Thursday, 10*th March* 1892.

MEMBERS PRESENT:

Sir Michael Hicks Beach.
Mr. Channing.
Mr. Radcliffe Cooke.
Mr. Crawford.
Mr. Alfred Gathorne-Hardy.
Mr. Herbert Gladstone.
Mr. Howorth.
Mr. MacInnes.
Mr. Maguire.
Sir Herbert Maxwell.
Mr. Muntz.
Mr. Murdoch.
Sir Joseph Pease.
Mr. Somervell.
Sir George Trevelyan.
Sir Henry Tyler.
Mr. Vernon.

THE RIGHT HONOURABLE SIR MICHAEL HICKS BEACH, BART., IN THE CHAIR.

Mr. JAMES FREDERICK BUCKLEY, re-called; and further Examined.

Mr. *Channing*.

1284. I BELIEVE you wish to supplement your evidence given on the last occasion?—There are one or two little points in my evidence given the other day which I do not know whether I ought to mention at the moment. In regard to Question No. 1229, I must have misunderstood this question from the Right honourable Baronet Sir George Trevelyan. The question was: "You regard Mr. Bather as an enemy of the company? Now what Mr. Bather did was to bring to the knowledge of the company what they themselves say they disapproved of exceedingly"; to which I replied, "Mr. Bather did that, undoubtedly." I must have misunderstood that question, because the overtime at Oswestry, which was alluded to by Sir George, had ceased before Mr. Bather came on the scene at all; it ceased in October 1890, and Mr. Bather did not come on the scene till 1891. Then, with regard to the porters, I was asked also by Sir George Trevelyan and Sir Joseph Pease as to certain men who had been in the company's service and who have given evidence here, and in answer to Question No. 1190, I said "Yes" in answer to a question with regard to Albert Slim; that was a mistake. Albert Slim is not in our employment, and was not in our employment when he gave that evidence; he was a discharged servant previously, or rather I should say, he was not a discharged servant, because I believe he left the company's service on his own account.

1285. He was not in your service when he gave the evidence originally?—He was not in the service. I was under the impression for the moment that he was. These questions were put to me without my knowing much about it. The manager would have been better able to answer them.

1286. Now I want to ask you two or three more questions, and I will put them in as specific a form as possible so as to save the time of the Committee. You have, of course, read and considered the evidence given before them on the

Mr. *Channing*—continued.

25th of February by Mr. Hood?—I have read part of it, not the whole of it.

1287. I will put to you the specific statement he makes: Did you refund his guarantee money in full, or rather was it refunded to him in full by the general manager?—I really could not tell you; that is out of my province entirely; I have not the slightest idea.

1288. Let me put the question to you in this way: the guarantee money being returned to a man in Mr. Hood's position is, or is not, an acknowledgment on the part of the company that so far as his money relations to the company are concerned, those money relations have been concluded honestly and without question?—As to the way in which the guarantee is dealt with, I have not the slightest knowledge.

1289. In answer to Question No. 6, Mr. Hood states that on the "accounts being afterwards audited not the slightest fault was found, and my guarantee money was refunded in full." If that statement is correct, is not the return of the money an acknowledgment on the part of the company that he closed his accounts honourably and without a stain upon his character, so far as those accounts are concerned?—That would appear to be on the 19th of July, from the context.

1290. Are you quite incapable, as chairman of the company, of answering such a question as that; was the refunding of his guarantee money an acknowledgment on the part of the company that he had closed his accounts honourably with the company?—As I say, I know nothing about the guarantee fund, or the guarantee money, in any way.

1291. If there had been a question about his accounts, would that question not have been gone into by the directors at their meeting on the 6th of August, or at their subsequent meeting on the 30th of September?—I do not think so.

1292. I put these questions to you, because

on

Mr. *Channing*—continued.

on the last occasion you stated that by the pay-sheet he had been taking your money and paying it away wrongfully to the servants of the company?—To the extent of one day's pay to two men.

1293. To that extent, do you, or do you not, charge Mr. Hood with any pecuniary interest in this money?—With reference to Mr. Hood, I cannot charge him, because I do not know. It might have been that he paid away the money to those two men, and that they each received money which they were not entitled to, but that he did not receive any of it himself.

1294. Is there anyone who can give the Committee evidence as to whether this guarantee money was refunded or not?—I cannot. No doubt Mr. Conacher could have given you that evidence if you had asked him that question. It is entirely outside my province to know anything about small details like that.

1295. It is not a small detail; the character of this man is at stake. Was or was not that money refunded to him, and was not that or not an acknowledgment on the part of the company that so far as the money relations with the company were concerned those money relations had been concluded honestly, and without question?—I should think it was not an acknowledgment of anything, except that there was great kindness on the part of the manager exhibited towards Mr. Hood.

1296. You are running away from the point; did or did not the general manager of the company charge Mr. Hood with having defrauded the company?—Yes, certainly, by having rendered a false pay-sheet.

1297. Is there anyone on your line who knows whether or not this guarantee money was refunded?—Mr. Conacher would have known; I do not know whether our secretary would know or not. (*After consulting the secretary.*) I find, on consultation, I can admit that the guarantee money was refunded in full; but the pay-sheet was actually a falsification, because, assuming the money for the Friday night was paid to Humphreys instead of to Robinson, he had not earned it.

1298. You have put off that admission as long as possible. Was that refunding an acknowledgment that Mr. Hood's accounts were closed honestly or not?—They were certainly not kept honestly, so far as that pay-sheet was concerned.

1299. You are running away from the question. I must ask you whether, as manager of a railway for some years, whether, if your agent had falsified his accounts, the manager would have returned him his guarantee money?—I might say that I am not the manager of the railway.

1300. I beg pardon, the chairman, but I ask you what is the custom of railway companies in such matters; if he had defrauded the company would his guarantee money have been returned?—My officers would be able to tell you practically how these questions are treated.

1301. You never considered them at all?—I never had occasion to consider them.

1302. On receiving an intimation from Mr. Conacher with respect to this pay-sheet, did you give Mr. Hood any opportunity of explaining the pay sheet before he was dismissed?—No, I did not.

Mr. *Channing*—continued.

1303. Is it not the custom on railways, when a serious charge is made against one of the company's servants, to give that servant the opportunity of making a written answer to the charge before the directors decide the case?—It has not been in my experience usual, when they have been satisfied that they were right in dismissing a servant, to call upon him——

1304. For any explanation?—No.

1305. You hang him first and then you ask for an explanation afterwards?—He has an opportunity of stating any matter he likes afterwards.

1306. Did Mr. Hood have that opportunity on the 6th of August?—No, certainly not; the meetings are held in London.

1307. Then you did not give him the opportunity of making an answer to this charge, as I understand is the usual custom upon railways; or call him before the directors on the 6th of August to make a verbal explanation?—We did not call him on the 6th of August.

1308. That is to say, you took the pay-sheet, and, without asking for any explanation, you acted upon the knowledge in your possession?—We acted upon the knowledge in our possession.

1309. And you acted contrary to the usage of railways of giving an opportunity to their servants of being heard before they are dismissed?—I do not suppose that servants are, as a matter of fact, heard before they are dismissed by the board of directors; I apprehend that Mr. Hood had had an opportunity of explaining his conduct to Mr. Conacher, and that he had availed himself of it; I think Mr. Conacher will have said so in his evidence.

1310. Do you produce any paper which Mr. Conacher handed to Mr. Hood setting out the charge against him, and upon which Mr. Hood gave his reply to this charge?—I have not any such paper.

1311. You produce nothing?—I produce nothing; Mr. Conacher's evidence is before you.

1312. Do you know anything about the goods traffic on your line and the circumstances at the several stations?—Not the details.

1313. Have you any general idea as to whether the goods traffic has increased or fallen off at the several stations?—I suppose we have returns occasionally; we have weekly returns showing the gross amount of goods traffic, but I do not think it is within our scope to go through the details of every station or to compare the details of each station from time to time; we have to be satisfied with the general results.

1314. You went through the details with regard to Mr. Hood very carefully; did you go through the details of the goods traffic to ascertain whether it had increased or decreased at his station?—I did not, because I did not think they were relevant to the matter in question.

1315. Is it within your knowledge whether Mr. Hood's statement, that the goods traffic at Montgomery had increased during the last nine months, is true or not?—It might be quite true; I daresay it is true.

1316. Your

Mr. *Channing*—continued.

1316. Your goods traffic had not fallen off on that part of the line?—I do not think it had; it had not ceased to fall off materially on any part of the line about that time, but that might arise from a variety of circumstances.

1317. Will you tell me whether Mr. Conacher gave you any explanation of why he had never compared the pay-sheets for this day, and found out that two men were paid for this duty?—I think I heard Mr. Conacher say during his evidence that he was misled by this false pay-sheet in the first instance.

1318. He had both pay-sheets before him?—He had at the time he gave his evidence.

1319. He had Stokes' pay-sheet, and also that signed by Robinson?—He had not Stokes' claim before him at that time, I think; I think you will find on referring to Mr. Conacher's evidence in answer to Question 557, that he said, "Now I made up my mind to get at the bottom of this question. I gave instructions that the handwriting of all the servants of the company who were qualified for taking the duty of night-men at Ellesmere, should be compared with the entries in the block-book, with the result that the handwriting was found to be that of an assistant guard named Stokes."

1320. Then he looked the matter up, and found the other pay-sheet?—Then, again, at Question 576, he was asked: "When were you first aware that Stokes was probably on duty for two nights?" and his answer was, "Only when Mr. Hood gave his evidence, and I was unable to reconcile the evidence as to the pay-sheets, and then I made inquiries as to Stokes." Then, Quession 577 is, "When did you find that out about Stokes?" and his answer is, "About a fortnight after Mr. Hood gave his evidence in July last year;" that brings us to the 1st of August.

1321. Neither you nor Mr. Conacher have produced the slightest proof before the Committee that Mr. Hood knew that Stokes was on duty, or that he saw him?—I think, unless the telegrams alluded to in the evidence at Crewe were forgeries, they are conclusive proof that Mr. Hood knew.

1322. That is not a conclusive proof that Mr. Hood knew?—I think so.

1323. You mean, "Stokes to resume duty on Monday," those words?—I have not the telegrams before me.

1324. Are the telegrams here; have you got the telegrams with you?—I think I have a copy of them. Mr. Hood initialed the block telegraph book, you know; and the telegrams were "From Conacher, Oswestry, to Hood, Ellesmere. Can you arrange for one of your men to take duty to-night, Roberts to do so to-morrow night, and Stokes to resume on Monday," Stokes having been there. Then from "Hood, Ellesmere, to Conacher, Oswestry. Reply. I will arrange with one of my men to do night duty to-night, no man is required to-morrow night," and he initials the block telegraph book.

1325. You have no proof that Hood saw Stokes. You have his statement, on the other hand, that Humphreys and Robinson were on duty the next morning when he came on duty?—He may state that.

1326. Then the upshot of this business is that after having discharged his duty to your company during twenty-two years, and having had several rewards, which you have admitted, and at the time of his dismissal having his guarantee fund returned to him, this station-master of yours is dismissed because a pay-sheet is found signed by a man not now in your service, and who presumably stated to Mr. Hood that he had discharged the duty. You discharged Mr. Hood under those circumstances, knowing that Mr. Hood had not seen this man, Stokes and would, therefore, be guided by the statements of the men whom he found on duty the next morning?—Yes, I consider that Mr. Hood knew perfectly well that Stokes had been there; nothing would convince me that Mr. Hood was not aware of it.

1327. Your sole reliance for that fact is the vague inference drawn from the words, "Stokes to resume duty on Monday." That is the sole basis of your case for dismissal?—No. Mr. Hood, in his letter to Mr. Conacher of the 16th of December, admitted having received the telegrams.

1328. I am not raising any question as to the reception or non-reception of these telegrams. as to which you know Mr. Hood stated that he was unaware of their having been sent. I ask you whether your dismissal of this man does not hinge entirely upon these words: "Stokes to resume duty on Monday;" you have no further proof that Mr. Hood did not authorise the pay-sheet, perhaps in error, but with perfectly *bona fides* to the company, and you have no further proof that he came before the Committee and made a statement which was not perfectly *bona fide*?—We did not believe in the *bona fides* of Mr. Hood's statement, that he had no knowledge of Stokes being there.

1329. That is to say, you acted upon your general presumption?—Yes, as we always do.

1330. Of Mr. Hood's statement being untrue?—Yes.

1331. What was the first time Mr. Hood was suspended or punished? Was not it at the time of the signing of the memorial to reinstate Humphreys?—I do not know any other occasion previous to that; I believe that was the first.

1332. Then the first time he was punished by the Company was for taking the side of one of your servants whom he supposed to have been unfairly discharged, and whom he supposed to have worked an excessive number of hours; you punished him for taking the part of one of your servants?—We do not think it is a proper thing for a station-master to take anybody's part in a case of that kind; and, furthermore, we believed that at that time Mr. Hood was screening Humphreys from being considered the cause of the accident.

1333. Do you deny the right of your station-masters to take any part in representing to the company or the public that the men working under them have any grievances?—I think that as agents, trusted agents, under the company, all they have to say ought to go through the management. They are part and parcel of the management, and it is out of order and irregular in the extreme for those men to embark in public matters of any kind, so far as the business of the company is concerned.

Mr. *Channing*—continued.

1334. If he had written to the manager, for instance, or yourself, giving his opinion with reference to Humphreys, and had not signed the memorial, you would not have objected to it?—That is another thing altogether.

1335. You object to his taking any public part in improving the condition of the men under him?—In taking a public part in that way, when he ought to have been taking the part of his employers.

1336. Are you aware that there are a good number of station masters in the United Kingdom who are now members of societies?—I dare say; it is not extraordinary.

1337. Do you think that is wholly beyond their rights?—I do not think I should care myself for station-masters or for agents in any capacity who had other interests than those of their superiors to serve.

1338. You would take the first opportunity of helping your Company to get rid of such men?—I do not say that.

Mr. *Somervell.*

1339. Were you aware that Mr. Hood was going to give evidence before he gave evidence before this Committee?—I do not think so; not individually.

1340. I mean yourself individually. Now, when was Mr. Hood's case first brought to your notice? When Mr. Conacher took the initiative by having Mr. Hood's case brought up before the meeting of the 6th of August?—No doubt Mr. Conacher took the initiative.

1341. Before that meeting of the 6th of August had he mentioned to you that he was going to bring up Mr. Hood's cases?—He mentioned to me that he had cases to bring up, alluding, I suppose, to the cases of Mr. Hood and Thomas.

1342. Did he allude to Mr. Hood's case by name?—I have no doubt he would.

1343. Do you recollect him at that date telling you anything as to the facts he was going to state at that meeting with reference to Mr. Hood?—I do not recollect that he did; the facts would be put before us.

1344. But I am talking of the interview you and Mr. Conacher had some time before the meeting?—The day before probably.

1345. I want to know whether Mr. Conacher told you any particulars with reference to Mr. Hood which he was going to state to the meeting of the 6th of August?—No doubt I knew what was going to be stated.

1346. Will you tell me, so far as your memory serves you, what took place at the interview between you and Mr. Conacher with reference to Mr. Hood?—It went to the effect that Mr. Conacher desired to have these things done, or whatever had to be done, that is to say, the consideration of this question to be entirely left to the board, that he would simply put the facts of the case before the board and leave them to decide what was the proper thing to do.

1347. Did he do anything more; did he say anything to you in regard to facts, or show documents?—He would tell me what he had got.

Mr. *Somervell*—continued.

1348. I want to know what he did tell you?—I cannot charge my memory as to what took place so far back as that.

1349. I want you, so far as your memory will serve you, to state what took place with reference to Mr. Hood at that interview at which only you and Mr. Conacher were present, whether he showed you any documents, whether you read them, whether he made any statement, and if so, what it was?—I cannot tax my memory, if I saw some documents, whether I read them that day or the next; I might have read them over that night.

1350. Had you formed any opinion as to what course you personally would pursue with reference to Mr. Hood before the meeting?—I had formed the opinion that Mr. Hood had been in trouble before, and that I was not very favourably impressed with what was likely to come out on the morrow.

1351. Did anything more come out on the morrow than you were aware of at the time?—I think I knew everything that was likely to come out.

1352. Had you made up your mind, so far as you were concerned, to dismiss him?—I think I may almost assume that I had.

1353. Could you remember whether you had read those documents, or whether Mr. Conacher gave you the story?—The proofs were pointed out; the book and the pay-sheets were put upon the table.

1354. I am not talking of the 6th of August?—He, of course, might have stated that those documents were there; I cannot state whether I saw them the night before or not.

1355. I may take it that you thought the night before that Mr. Hood was to go?—I thought that the case was very clear against Mr. Hood.

1356. Now with regard to this 1889 case, the hamper; I want to know whether, so far you, with Mr. Conacher, had no objection to Mr. Hood giving evidence before this Committee; he wrote twice and asked permission. Was it your wish that there should be no obstacle thrown in the way of Mr. Hood giving evidence?—Certainly; I do not think any other company took the course we did in sending out a circular to explain our views to our employés.

1357. His previous character had been gone into. Until his evidence was given and proved, in your opinion, to be false, you believed that Mr. Conacher took no steps to get up a case against him?—Not until after his evidence was given.

1358. You are positive about that?—Yes, I am quite positive of that.

1359. If he did so before Mr. Hood gave evidence, would you consider that wrong?—Yes.

1360. If Mr. Conacher, in consequence of hearing that Mr. Hood desired to give evidence, and before he gave evidence began to get up evidence concerning Mr. Hood's past history, would you consider that a very wrong act?—I cannot judge of Mr. Conacher's motives.

1361. You told the Committee about the 1889 incident.

Mr. *Somervell*—continued.

incident. If Mr. Conacher began to get that up before Mr. Hood came here to give evidence, would you not consider that as indicating an objection to Mr. Hood's giving evidence?—It might be construed in that way.

1362. You put in the documents with reference to Mr. Hood's hamper incident, and they are before the Committee. I want to call your attention to the fact that Mr. Hood gave his evidence here on the 16th of July; and that upon the 15th of July, the day before, this letter was written by Mr. Conacher to Mr. Entwistle: "Dear Sir,—With reference to your letter of the 30th January 1889, I shall be glad if you will return me the papers in this case for a short time. Kindly give the matter early attention. Yours faithfully, *J. Conacher.* To Joseph Entwistle, Esq., L. N. W. Railway, Shrewsbury." Now, in consequence of that, he gets a reply upon the 24th July as follows: "Herewith I send you the papers, including w. bill; kindly return them all as early as possible, seven enclosures. *J. E.*" You see that shows that this was going on the day before Mr. Hood gave his evidence?—The day after he had gone to London, I presume.

1363. I am perfectly aware of that; but before he had given any evidence?—Yes, certainly.

1364. Mr. Conacher had begun a bit earlier than that, for I find one letter dated the 21st of March. However, on this same day, the 15th of July, the day before Mr. Hood gave a word of evidence to the Committee, Mr. Conacher's clerks go through the press copies of the correspondence which were in Mr. Conacher's possession; here is a note of it, showing that they were taken out of the press copy-book: "Entwistle, 15. 7. 91"?—No doubt.

1365. So that we now have it clear. I think we may take it as proved that Mr. Conacher began to inquire into Mr. Hood's character immediately after he had had two letters from him applying for permission to give evidence, and before Mr. Hood had said a word to this Committee?—That appears to be so.

1366. I take it, further, that for some purpose (we know how this was used) he had the papers relating to this charge of 1889 in his possession?—I will tell you how I think Mr. Conacher acted in this matter, or why he acted in that way.

1367. You said that you knew nothing about it?—I said I knew nothing of his reason for so doing upon that day; but I tell you that he was alive to the fact that Mr. Hood was going up to give evidence then; that is quite clear.

1368. The 15th of July, the day on which Mr. Conacher writes for this material to tell against Mr. Hood, was the day upon which he received Mr. Hood's request for a pass, stating that Mr. Hood had been summoned by the Committee?—That was the day before.

1369. Mr. Conacher received a reply from Mr. Hood the night before, asking him to get Mr. Hood a pass; he writes that letter upon this day to Mr. Hood, giving him instructions as to how he is to come to give evidence to the Committee, and he also writes to the London and North Western Company's manager for the paper about this matter of 1889?—Yes; but you must be aware that at this time Mr. Hood had asked permission to go to the newspapers and publish

Mr. *Somervell*—continued.

statements; that of itself would be sufficient to arouse Mr. Conacher's suspicion, I apprehend. But, further than that, if you will turn to page 65 in my evidence, Question 1137, you will see that so early as the 3rd of June Mr. Conacher had very strong reason to suspect the action of Mr. Hood; therefore I do not wonder at this.

1370. At any rate, Mr. Conacher had refused him leave to write to the newspapers?—And very properly.

1371. And he did not do it?—No.

1372. And we have the fact here that upon the very day upon which he gives permission to Mr. Hood to come and give evidence, that very day he writes to the London and North Western Company, to Mr. Entwistle, to get those papers back?—And fully justified was he in doing so, for the reason I gave in answer to Question 1137.

1373. At this meeting of the 6th of August, did you read, or any of the directors read, these papers, or was the gist of them given to youb y Mr. Conacher?—The gist of them would be given to us and the papers put on the table.

1374. But you did not read them?—I have read them several times.

1375. Since then?—Either at the meeting or since. I should think they would be on the table, and I should look at them; but I should not go through the whole of the correspondence, I had so much to go into.

1376. I want to call your attention to a very material point. You say, in answer to Question 1166, that Mr. Hood "suggests that they had better try Ellesmere Port, to try and find out whether it had not come from there. He denies any knowledge of it, and tries to throw the thing on to another station." Now, I do not know whether you were aware of it at the time, but the Stirchley letter was undoubtedly "P. T. F."?—Yes.

1377. But in Mr. Hood's reply to that of the 26th January 1889 he says, "Cannot trace anything going from here, P. L. L." (that is, passengers' left luggage)?—That is a systematic deception.

1378. You say so?—And I believe it; I have a very strong feeling on the subject.

1379. Mr. Hood, in his letter of February the 9th, which you did not read, gives an explanation, and says that he sent the hamper, P. T. F., and that he posted an invoice, or way-bill, that night, and a copy of that way-bill is printed at the end of the answer to Question 1177, where you will find first a copy of the original way-bill, and then a copy of the to-pay way-bill, which Mr. Hood said he posted that night?—Yes; I handed in the papers.

1380. I wanted to see how much you knew about it?—I think when I produced these papers I expressed my regret that they had not been produced by an expert in these matters.

1381. This is not a question for an expert. The material question is this: Mr. Hood makes an explanation in regard to this matter, and that is apparently corroborated, so far as I can ascertain, by the documents; it is very material to know whether, at this meeting of the 6th of August, the directors read these documents themselves, in order to arrive at an opinion upon them, or whether they merely had an *ex-parte* statement,

Mr. *Somervell*—continued.

statement, which was given to them by Mr. Conacher?—Mr. Conacher, undoubtedly, gave us his view of the matter, and placed the papers upon the table; but then the deception was clearly shown by this: the London and North Western Company put the letters "P. T. F." in their letter of the 24th of January, and Mr. Hood, in his letter of the 26th, putting "P. L. L.;" those meaning two distinct things; that is to say, "P. L. L." means "Passengers' left luggage." Therefore, the first deception is in altering it from "P. T. F.," to throw them off the scent, to "P. L. L.," meaning "Passengers' left luggage;" and the second, in saying in effect, "Not known here; try Ellesmere Port;" that is another piece of deception, making two pieces of deception.

1382. How does he get the "P. L. L."?—He invented the "P. L. L." himself.

1383. There is nothing to show that?—He adopted it, evidently.

1384. Did you know that upon the 6th of August?—I had it explained to me, undoubtedly.

1385. But had you his letter read to you in which he gives his explanation; the letter of the 9th of February; was that read to you upon the 6th of August?—I really cannot say whether the whole of it was read to us or not; it is a very lame excuse.

1386. Did you inquire whether it was true that his son offered a two-shilling piece in payment, but that it was not accepted?—I did not; but from the remarks I read the other day of Mr. Entwistle, I apprehend that the London and North Western Company were not satisfied.

1387. Probably not; but were you also aware that Mr. Conacher's statement, in what you call his lame excuse, that "The way-bill of charges was addressed by myself to Parcels—Stirchley, L.N.W., and I put it in the letter-box and sent it on 12th January," was corroborated by a copy of the way-bill being found in his office, and being put in evidence by yourself?—I was not aware that it was corroborated by my evidence.

1388. But you did actually put in a copy of the way-bill, which is as follows: "Cambrian Railways, L. & N. W. From Ellesmere to Stirchley *viâ* Whitchurch. 12. 1. 1889. Description, hamper; destination, station; weight, 38 lbs. To pay, 1 *s.* 7 *d.* Sent you P. T. F. this day." Mr. Hood sent that to you upon the 12th January, and you put that in, and yet you say his explanation is not corroborated?—It is quite easy to make a copy of a way-bill like that. I have that copy here, but I have grave doubts whether the way-bill was sent.

1389. Were you not aware that Mr. Hood, in reply to a letter or telegram of January 21st from Stirchley, says, "I have not received any letter from you before. What is it about? Hand copy of your letter of 12th instant"?—That was done under the pressure of this letter: "Mine of 12th instant hereon. Hand paid w. bill of charges at once, ere I write supt." He does not reply in the terms you have read till the 23rd.

1390. You say Mr. Hood tries to put this as "P. L. L."?—I look upon that as also being deceptive; it is begging the question.

Mr. *Somervell*—continued.

1391. You put this all down as deception; it may be that you are prejudiced against him; you have told us that you were. But is it not natural that, having first sent the hamper with an invoice, and sent the same night a way bill, of which you produce a copy, he should think that it is all settled; and is it not natural, I say, that when, a fortnight afterwards, he is written to about it, he should put, instead of "P. T. F.," "P. L. L.," thinking it had not been correctly invoiced?—The way-bill, of which there appears to be a copy put in, was not received, as I gather, by the London and North Western Railway Company from Mr. Hood, because in the memorandum form enclosed to Mr. Conacher of the 16th of February, headed "Hood's hamper," you will find this: "You do not appear to have observed that Mr. Hood has written on the way-bill of 13th February, 'Originally entered 12th January, 1 *s.* 7 *d.* to pay.' This is not a fact, as you will notice by the original way-bill attached; the hamper was simply entered 'P. T. F.' This makes the case still worse than before, and I shall be glad to hear from you."

1392. I suppose you did not have brought to your knowledge the fact that he sent this way-bill on, 1 *s.* 7 *d.* to pay, of which he might have a copy in the office?—He might have a copy in the office.

The Chairman intimated that in his opinion the Committee were now sufficiently informed upon this point.

1393. How long did Mr. Hood's case occupy upon the 6th of August?—I really cannot tell now; we had a very busy day that day; we had our half-yearly meeting; and we had a meeting of directors.

1394. Did Mr. Conacher begin by making a statement in regard to Mr. Hood's case?—I presume he would give us the particulars.

1395. Would it last 20 minutes?—I could not say now; it would not have taken me long to make up my mind about it.

1396. Did it last 10 minutes?—More than that, perhaps.

1397. A quarter of an hour?—I really could not say; I could not recollect.

1398. Did Mr. Conacher make a statement to the board with regard to it?—Mr. Conacher would, undoubtedly, be asked to say what he had to say upon the subject.

1399. Did he read any documents?—He just referred to his case in the course of his statement.

1400. And then the directors came to a decision?—Yes; then they came to a decision.

1401. Upon the evidence of statements by Mr. Conacher?—Yes; upon evidence read and brought before them.

1402. By Mr. Conacher?—Undoubtedly; we had implicit confidence in Mr. Conacher.

1403. You dismissed Mr. Hood upon evidence put forward by Mr. Conacher?—Yes; documentary evidence; and for reasons known to us before, which I have already stated.

1404. But this 1889 case was never known to you?—That is one case which would be put in by Mr. Conacher, certainly; but the case of Mr. Hood being almost dismissed at Ellesmere

years

Mr. *Somervell*—continued.

ears before, which I mentioned to the Committee, was, of course, a matter within my own knowledge specially.

1405. Did you mention that to the directors?—Yes, I just drew attention to it; this is not the first case.

1406. Did Mr. Conacher say that this was not the first dispute he had had with Mr. Hood, and that he, Mr. Conacher, was wrong before?—No.

1407. In your shorthand writer's notes of the 30th of September, you made a statement in which you say: "You must understand that your dismissal was not because you gave evidence before the Select Committee: you were summoned to give evidence; but you must address yourself to the question of justification of the statements you made there. We do not object to your giving evidence but you must justify what you said." Then Mr. Hood says: "Am I to understand the general manager denies my evidence?" and you say "yes." Now, will you turn to Mr. Hood's evidence, and tell me what part of that evidence you say is untrue?—Mr. Conacher denies it and Mr. Conacher has been here to deny it before this Committee.

1408. But I want your evidence. I want to know what part of that evidence you say is untrue?—I do not think, with due deference, I ought to be called upon to analyse the evidence of Mr. Hood.

1409. But you dismissed him?—We dismissed him, but not for giving the evidence.

1410. Mr. Hood is called before you, and you ask him to justify his statements; you do not say a single word to give him the slightest idea that he had said anything that was untrue?—He was called upon to justify his statement before the directors.

1411. I wish to know what answers in Mr. Hood's evidence you say are untrue; if the manager had directly dismissed him I would have asked him; but he declined to say the grounds upon which Mr. Hood was dismissed?—I think he did say so; he shadowed it forth in one of his answers.

1412. I asked Mr. Conacher upon what ground Mr. Hood was dismissed, and he declined to answer, referring us to you; I ask you distinctly what portion of the evidence of Mr. Hood was untrue?—One portion is that Humphreys was on duty 44 hours; another that the sleepers were rotten; that is two. I say the accident was not caused by the sleepers being rotten, but by neglect of the points; all those, I think, are in contradiction of what Mr. Hood stated.

1413. That the permanent way was in a bad state, that the points were neglected, and that Humphreys was on duty 44 hours?—My idea of the hearing or inquiry was this: Mr. Hood appeals against the decision arrived at by the board; he has an opportunity afforded him of coming and vindicating himself if he can. He is there, and I am there to hear what he has to say. I start off by reassuring him that he is not dismissed for giving evidence, and that he must address himself not to that point; otherwise he might have gone on, and probably would have done, rambling into those matters; but that he must simply address himself to the point he wished to raise, of the truthfulness of his statement.

1414. He says: "Am I to understand the general manager denies my evidence"; and you say, "Yes"?—Yes.

1415. What other points do you wish to refer to?—I have stated three points.

1416. May we take it that it is true in all other respects?—I should have to wade through Mr. Conacher's evidence in addition to Mr. Hood's, in order to show the discrepancies between the two.

1417. You have read Mr. Hood's evidence, have you not?—I do not know that I have read it all.

1418. You have no idea what portion is true or what is false?—I know that some of the statements are false.

1419. But it is very material for the Committee to know what portion of the statements you consider is false?—His answer to Question 9819: "The statements made by Mr. Conacher with regard to the accident [at Ellesmere], and especially with regard to myself, are incorrect." I say Mr. Conacher was correct there.

1420. What is the next point?—There is a great deal of dispute between Mr. Hood and Mr. Conacher as to matters of detail.

1421. But you must have formed an opinion, as you dismissed the man?—I think I have endeavoured to explain that the cause of his dismissal lay outside the evidence that he gave.

1422. But this is the fifth day of the inquiry this year, and there have been public meetings all over the country, at which it is said that Mr. Hood was dismissed on account of the evidence he gave before this Committee. You saw Mr. Hood; you did not tell him that he was dismissed for falsifying the pay-sheet, not for giving untruthful evidence?—We show the whole case as it was brought before the board. I may say that the false statements of Mr. Hood about the permanent way have prejudiced the company no little. We have had the thing brought before us by other companies, and we have been told that the statement that we own a line which is underlaid with rotten sleepers will prejudice us with the public; and I consider that we have been very badly used in this respect both by the newspapers and by Mr. Hood. I may go further and say that, I do not think there is a single-line railway in the country which is in a sounder condition so far as its permanent way goes; the whole line has been practically re-laid, and yet here we have a libel of the most infamous character started against the company that we have a railway which is running over rotten sleepers: I have every wish and desire that this allegation should be settled before the Committee, else we cannot get right with the public.

1423. Will you show me one single sentence in your own shorthand writer's report of the meeting of the 30th of September, where you say that Mr. Hood was dismissed for falsifying the pay-sheet, and not for giving untrue evidence?—I do not know any thing about that; I offered him the opportunity to come before us to extenuate

Mr. *Somervell*—continued.

extenuate his statements as much as he could; I wanted him to say what he could about these sleepers, because the charge fulminated against us was a most serious charge.

1424. But seeing that you began the interview by saying that the general manager denies his evidence, do you mean to say is a fact within your knowledge that he was not dismissed for a word he said here?—It is useless for me to say that in my colleague's mind, my own and everybody's there could have been no feeling against Mr. Hood for the libellous statements he had made about the permanent way. There could not be a question about it.

1425. Passing from that point; you made a complaint about the 3rd of June letter, in which Mr. Hood states that he had been written to by Mr. Bather; was that the only means you had of knowing that Mr. Bather wrote to Mr. Hood?—There again we had very strong suspicions, but I never like to take mere suspicions as evidence. I had no absolute evidence within my cognisance.

1426. The only evidence you had of any communication between Mr. Hood and Mr. Bather is that letter which he communicated to the manager?—That letter which he ought to have communicated.

1427. He writes to inform the manager that he has had a communication?—But he does not send him the letter; the letter you refer to was in answer to the manager's inquiry. The manager must have known that Mr. Bather was in communication with Mr. Hood, because otherwise he would not have sent that letter.

1428. You did not put in that letter?—I have not got it; I promised to get it if I could.

1429. Have you got the statement which Mr. Conacher sent, together with Mr. Hood's remarks upon it, when it was returned to you: "I return the statement to you with my remarks," have you got that?—I have not got it here.

1430. It is very material as to Mr. Hood's *bona fides* what his statements, with regard to Humphreys, was upon the 3rd of June?—Of course there might have been a letter from Mr. Conacher requesting Mr. Hood to send him Mr. Bather's letter at that time.

1431. There is not the slightest evidence in it to justify you in making that statement, as you will see if you look at the letter; it is set out in No. 1137: "3 June, 1891. Memorandum from Montgomery Station to J. Conacher, Esq., Euston Hotel, London. James Humphreys, late porter, Ellesmere. I return the statement to you with my remarks. Mr. Bather wrote to me a note asking me to give him information about the accident, but I did not reply to it." Is that an untrue statement? Then he goes on: "I have thought the matter very carefully over, and tried my best to remember, in order to give as correct information as I could to enable you to meet the case." It is very material, as a question of Mr. Hood's *bona fides*, what statement he made to Mr. Conacher at the time?—I will try to get that.

1432. I may take it that that statement, with Mr. Hood's remarks, was not before you on the 6th of August?—I think it was.

Mr. *Somervell*—continued.

1433. Will you produce it now?—I will try to. (*A search having been made ineffectually.*) There seems to be some difficuly in finding this memorandum; perhaps it might be sought for and put in afterwards.

1434. I look upon this not so much as a proof whether Mr. Hood spoke truth or falsehood, but whether he believed what he said?—I have a memorandum of it.

1435. Then will you give the Committee the letter with the remarks he made to Mr. Conacher before he gave evidence?—I will try to get it for you. Mr. Conacher had the letter in his hand I am almost certain.

1436. I want to know also whether Mr. Conacher told you upon the 6th of August that after the accident Mr. Hood had expressed the opinion that it was owing to the fault of the permanent way?—Yes, we knew that Mr. Hood had made that allegation.

1437. Before this; I want to know whether Mr. Conacher told you on the 6th of August that Mr. Hood had made a similar allegation to him on the day after the accident?—Mr. Hood denied it. Mr. Conacher believed that he did.

1438. Did Mr. Conacher tell you that?—Mr. Conacher made us believe that Mr. Hood had stated that.

1439. At the meeting?—Mr. Conacher had then before him Mr. Hood's evidence and he must necessarily bring that to our knowledge.

1440. That Mr. Hood had expressed that opinion the day after the accident?—About the day after the accident; I could not say exactly. I have more difficulty, if you put it that way. I thought you meant generally.

1441. Mr. Conacher said that in his opinion Mr. Hood had expressed that view to him the day following the accident?—Yes, I recollect that came out at Crewe.

1442. I want to know whether Mr. Conacher told you that fact upon the 6th of August?—That I cannot tell you.

1443. It was not prominently brought before you?—No, I do not think it was.

1444. Now, passing to another point, will you look at your answer to Question 1120, and say whether you adhere to it. (*The Witness having read the answer.*) Is that what your opinion was that both Robinson and Humphreys were paid for the Friday night?—Robinson or Humphreys, we could not make out exactly which; I think Mr. Conacher explained that in his evidence.

1445. Is that "and" a misprint for "or"?—I do not say it is a misprint; it was Robinson or Humphreys, or Robinson and Humphreys.

1446. But I want to know whether you say that both Robinson and Humphreys were paid for Friday night; I want to know whether you adhere to that statement?—I understood they were both there.

1447. They both were paid for Friday night?—Yes.

1448. That is what you understood?—Yes.

1449. When you dismissed Mr. Hood?—Yes.

1450. That Humphreys and Robinson were both paid for the Friday night?—Yes, they both appeared upon the pay bill, I think; I have not got the pay-bill before me to refresh my memory now;

Mr. *Somervell*—continued.

now; it is very hard to carry all these things in one's memory.

1451. Do you adhere to the opinion you held when you dismissed Hood, that Robinson and Humphreys were both paid for Friday night?—I was under the impression that it was one man only that was paid for the night duty, and one for the day.

1452. I do not follow you; you have just said that, in your opinion, Robinson and Humphreys were both paid for the Friday night?—I think it should be Robinson *or* Humphreys.

1453. Then, in your opinion, it is not Robinson *and* Humphreys?—I think not.

1454. It is very material when you dismiss a man upon this question?—It is only to this extent when neither of them were there, but another man was there; neither Humphreys nor Robinson was there.

1455. You say so?—Yes; and either Humphreys *and* Robinson, or Humphreys *or* Robinson, as the case may be, were paid for that night, because they are put in the pay-sheet. Mr. Hood said, if we are to believe him, that Humphreys would not stay unless Robinson stayed to keep him company.

1456. That was afterwards altogether; that was not in your knowledge on the 6th of August; I am dealing with what was in your knowledge upon the 6th of August, because that was the day Mr. Hood was dismissed?—We should have the facts before us then.

1457. I want to know whether, in your opinion, both Humphreys and Robinson have been paid for duty upon a night on which neither of them had worked?—I am perfectly certain that one of them has; I will not commit myself to both.

Mr. *Muntz.*

1458. Was not this explanation of Mr. Hood's, which is given in answer to Question 567, before the board upon the 6th of August, in which Mr. Hood stated that Humphreys at first refused, but at last consented on condition that Robinson should stay with him for company; was that before the directors on the 6th of August?—Mr. Hood says that he did not pay them both.

1459. What I want to know is whether that statement of Mr. Hood's, which was a statement to Mr. Conacher in explanation, was before the directors on the 6th of August, with the other papers; I think you will find that it was if you refer to page 37?—Yes; no doubt.

Mr. *Somervell.*

1460. The quotation to which your attention is drawn is in inverted commas; that is an excerpt from the statement Mr. Hood makes to you on the 30th of September; that is Mr. Hood's statement from your own shorthand-writer's notes of what takes place on the 30th of September; I want to know whether Mr. Conacher made a similar statement to you in regard to Mr. Hood upon the 6th of August?—I could not say that he did make that statement there, because he knew at that time that Stokes was on duty.

1461. Then he did not make that statement to you?—Not on the 6th of August, as I understand, or how could he have stated to us then that Stokes was there?

Mr. *Somervell*—continued.

1462. Did Mr. Conacher on the 6th of August tell you that he had shown the entries in the "line clear" book to Mr. Hood on the 30th of June, and that Mr. Hood said he thought they were in Humphrey's handwriting?—I think something was said about that; I could not be quite certain. The question of Stokes was only discovered about a fortnight after Mr. Hood had given his evidence, about the 1st of August. Then upon the other point as to at what time it was, Mr. Conacher after that about the time of Mr. Hood's giving his evidence, made up his mind to get to the bottom of the whole question; it would all be cleared up by the 6th of August.

1463. My question is this: On the 6th of August did Mr. Conacher state to you that he had shown Mr. Hood the "line clear" book on the 30th of June relating to the night of the 4th of November, and that Mr. Hood stated to him that he thought the entries were in Humphreys' handwriting?—I have heard something about that, but I do not think it was the 6th of August. First of all, Mr. Hood saw Mr. Conacher before giving evidence, and was convinced that Humphreys had not been on duty 44 hours. Then he comes here and accounts for it in some strange fashion, and announces that Humphreys after all was on duty 44 hours; so that they must have had some communication upon the subject about that time; and then Mr. Hood writes to Mr. Conacher the letter put in evidence, saying: "You will think it strange that I gave the evidence I did." One gets almost confused with all these letters.

1463. You do not recollect that being brought to your attention by Mr. Conacher?—I could not say that it was not, and yet I would not say that it was; it is a long time since, and I have had a good deal to think about besides Mr. Hood's case in the meantime.

Mr. *Crawford.*

1465. I only want to ask you a very few questions on a single aspect of the case; I cannot say that it is new, but I want to bring it to a point as it suggests itself to my mind. In your examination on the last meeting of the Committee you were several times asked questions by the Right honourable Chairman and the members of the Committee as to the reason why Mr. Hood was dismissed, and all the answers seemed to me to have been perfectly consistent; I think about the last question that was asked was by Sir George Trevelyan at Question 1196, and the answer to the question is: "The ground upon which he was dismissed specifically, the only charge which was gone into at Crewe, was the main charge of the falsification of the pay-sheet"; now is that answer correct?—That was not correct. "The only charge" would be wrong there; I had not noticed that, because, of course, there was more than that one charge gone into at Crewe; he went into other charges himself, but it was the only charge we investigated, with regard to his dismissal, at Crewe.

1466. Do you wish to modify the answer?—I think the word "only" there I ought not to have

Mr. *Crawford*—continued.

used if I did; I would say the main charge which was gone into at Crewe was the falsification of the pay-sheet; he went into it and the other charges himself.

1467. But you adhere to the evidence you gave before that the charge on which he was dismissed, coupled with his "bad record," as you call it, was the falsification of the pay sheet?—Yes, undoubtedly.

1468. That was the case?—That was the case; the falsification of the pay-sheet was the one thing which settled the matter.

1469. In this answer to Question 1196 you, yourself, refer to the proceedings at Crewe as the place where the matter was investigated?—It had been investigated before; but in the presence of Mr. Hood it was dealt with at Crewe.

1470. By the directors?—Yes, Stokes was produced there.

1471. I will ask you very shortly to refer to the proceedings at Crewe; I want to ask you this question which I think is material; suppose it were suggested that your memory is defective upon that point; that the charge of the falsification of the pay-sheet had nothing to do with his dismissal, and that it is entirely an afterthought, would that suggestion be incorrect?—Yes, that would be incorrect.

1472. I ask you to refer to the proceedings at Crewe; there were three directors present, and each of them made some short remarks. Now you say at the commencement of the proceedings that he was not dismissed for giving evidence; "but you must address yourself to the question of the justification of the statements you made there." Now there is no reference there to the falsification of the pay-sheet?—Certainly not; that was done in evidence afterwards.

1473. Mr. B. Hawkins, one of the directors, is the next director who speaks, and he says: "Do you think that it is justifiable to keep back information from your general manager?" Now there is no reference there of the falsification of the pay-sheet?—No, that is in reference to the memorial. Mr. Hood says: "This was one of the reasons why I signed the memorial." He was very anxious to keep quiet, as he said, the fact. Then Mr. B. Hawkins merely asks him if it was justifiable to keep back information from his general manager.

1474. But he does not recall the pay-sheet to his mind at all?—No, the pay-sheet was not dealt with in that way, purposely.

1475. Mr. B. Hawkins again speaks in the next column, and says: "It was a very serious charge to make against the company, to say that the accident was due to defective permanent way, when it was unquestionably due to the improper closing of the points." Mr. Hood has found fault with that statement, but there is no reference whatever to the falsification of the pay-sheet there?—No, there is not; but then it was a very serious question, as I have endeavoured to explain; and we wanted to have some justification for what Mr. Hood had stated here, for very many reasons, and we took the opportunity of getting it, if possible, out of the man at Crewe.

1476. You stated how far you had a feeling

Mr. *Crawford*—continued.

upon the matter before. Then the next utterance by a director is by Mr. B. Hawkins again; he says: "Your justification is that you thought it better to try and make out that the accident was caused by the defective permanent way" (bear in mind that you commenced the proceedings by asking him to justify his statement) "rather than that it was due to the improper closing of the points. And, one thing following another, you have been drawn into making these statements; and, finally, winding up by making most serious charges against the company." Now there is no reference to the falsification of the pay-sheet there?—No.

1477. Then the next director who speaks is yourself as chairman, and you say, "you practically admit that the whole thing has arisen from a desire on your part to shelter Humphreys"?—Yes, that is, with reference to the closing of the points.

1478. But there is no reference to the falsification of the pay-sheet?—No. Mr. Conacher says, "you should not screen a defaulter"; that is, with reference to not closing the points again. Humphreys was not a defaulter, so far as we know, in regard to taking money or anything of the kind. The word "defaulter" is rather a peculiar word to use there; it was intended to mean, "one in default of his duty."

1479. Mr. B. Hawkins then says again: "It puzzles me that our agent, the agent of the company, should try to screen a defaulter. We do not approve of men being employed for 44 consecutive hours." Then the next director is yourself, speaking again, and here perhaps you come nearest to referring to the pay-sheet; but I put it to you as a candid man, whether it can be said that it could suggest itself either to the minds of the accused person or to the minds of the people who now read the evidence, that you had the pay-sheet in your mind; you, as chairman say: "It appears that the whole object you had was to screen Humphreys, and that in doing so you followed up the evidence and gave out in black and white" (those two words may be held to constitute a reference to the pay-sheet); "1st, that this man was on duty 44 hours; 2nd, that the permanent way was rotten; and 3rd, that that was the cause of the accident." Now I suggest to you that you there sum up what Hood had to justify as the complaints of the directors against him; 1st, the false statement that Humphreys had been on duty 44 hours (which is quite a distinct matter from the pay-sheet); 2ndly, that the permanent way was rotten; and 3rdly, that that was the cause of the accident. I suggest that when you made that statement the pay-sheet was not in your mind?—When I made that statement the thing that was in my mind was the evidence that had been given here simply; and we wanted to know what Mr. Hood had to say about it. It was most important to us to get an admission from Mr. Hood, that the story he had told here about the permanent way was a fabrication; and we kept back, and purposely kept back the question of the pay-sheet and all that till afterwards. If I had expressed an opinion about the pay-sheet first, and opened the case upon the pay-sheet first,

Mr. *Crawford*—continued.

first, I do not suppose I should have got to know very much about the permanent way.

1480. What do you mean by "afterwards"?—I mean to say that if I had opened the case upon the question of the pay-sheet pure and simple, that would have been gone into, and the thing would have been over; whereas I wanted to get every admission, or rather Mr. Conacher wanted to get every admission he could from this man on the subject of the permanent way. It was a most serious thing to us, and we must get it if we could

1481. Do you really tell the Committee that when this man came before you requesting a re-hearing of his case, you, as a matter of fact, deliberately tried to extract information and the admissions which you desired from him, and kept back the real charge to the last?—We wanted to give Mr. Hood and Mr. Conacher an opportunity of settling the question of the permanent way between them undoubtedly, and we left this other matter to the last.

1482. Is this statement correct, that you desired to extract these admissions in the first instance; had that desire crossed your mind until I asked the question just now; is not that an absolute afterthought which strikes you at the moment?—No; indeed, it cannot be. Why did not we produce Stokes at first?—We hear what this man has to say patiently, and then when this man's time comes, Mr. Conacher calls Stokes into the room with reference to the pay-sheet, and it is shown to be what it has turned out to be, I think it is perfectly fair. We have been pointed at in every way that could be suggested, criticized and condemned, and we have not had the chance of saying one word; we want to get a chance of having a proper understanding of the whole case; we do not want to be quite defenceless.

1483. You say you kept this important charge to the last; when did it come in?—It came in when Stokes came in to say he was there.

1484. Let us refer to the report of the proceedings at page 38. Mr. Conacher said: "We now come to the question of the 44 hours duty alleged to have been performed by Humphreys. You remember seeing this book (*producing the Block Telegraph Book*) and pay-sheet when I sent for you to Oswestry on 30th June last?" Now is that a question of the pay-sheet? I am unable to see that you ever came to the question of the pay-sheet. It is undoubtedly one of the questions you yourself had stated a few sentences before; those questions were: "1st, that this man was on duty 44 hours: 2nd, that the permanent way was rotten: and 3rd, that that was the cause of the accident." Then Mr. Conacher says what I have just read, and Mr. Hood says "Yes." Then Mr. Conacher says, "I showed you the book, and when this pay-sheet was produced showing that Robinson was paid for duty on Friday night, I asked you to show in the book that Robinson had made the entries for that night. I asked you with regard to the handwriting, and you said it was not Robinson's. (Mr. *Hood.*) I said I thought it was porter Humphreys. (Mr. *Conacher.*) But you could not identify the handwriting of the

Mr. *Crawford*—continued.

entries made during the Friday night. That handwriting is the handwriting of assistant guard Stokes, and it is also the fact that Stokes was appointed to take duty on Friday and Saturday nights, and that he was there on Friday night; and Stokes could not be there as well as Humphreys and Robinson." Then Stokes came in and stated that the handwriting was his. Then Mr. Conacher says: "You were informed by the inspector that Stokes was instructed to go to Ellesmere." Then Mr. Maclure says: "Do you believe Stokes, and have you told the Commission a lie, or unwittingly said what was untrue?" and Mr. Hood replies, "I must have made a mis-statement, and I am very sorry." Then there is a good deal more evidence in the same direction, and at last you say: "You are quite clear that Humphreys was not on duty 44 hours?" and Mr. Hood says: "Yes; but at the same time I was convinced of the truth of what Humphreys told me." Now is not all that evidence directed to show that Mr. Hood's statement that Humphreys was on duty for 44 hours was untrue?—Certainly, we wished to contradict that evidence as well as the other, for it brings out the fact, and it only endorses our opinion, that this was a false pay-sheet, and deceived Mr. Conacher in the first instance.

1485. But does it bring out, except casually, anything about the pay-sheet? The whole of this is directed to the question of the 44 hours; there is not a word about the falsification of the pay-sheet?—The falsification of the pay-sheet was not referred to here under those words; but proof was adduced here which rendered it beyond doubt that it was false, and admitted to be so. We acted on that and on the other reasons I told you. We were not bound to give our reasons, and did not choose to give our reasons. There were many grounds why we should not give those reasons.

1486. These proceedings show that a considerable number of questions were asked with a view to show that Mr. Hood had falsely stated that Humphreys was on duty 44 hours; there is a great deal more complaint about his stating that the permanent way was bad, is there not?—I think that is such a perfect libel about the permanent way, and a wicked libel, which is intended to do us so much harm.

1487. Thirdly, there is a great deal about the correspondence that he had with reference to passes and tickets for coming up?—That came up afterwards. Mr. Maclure did not like that.

1488. Except in an incidental way about the 44 hours, there is nothing about the pay-sheet brought out; that is so, is it not?—There is nothing about it in this meeting at Crewe that was taken down by the shorthand writer.

1489. I suggest to you again (it certainly is a very material question, and therefore I put it again) whether it is not the case that upon the 6th of August the falsification of the pay-sheet was not a cause, and did not enter into the minds of the directors at all in dismissing Mr. Hood, but it was an afterthought on the ground that that was an act which could not be justified, whereas the other parts of his evidence might be more or less matters of opinion?—

Mr. *Crawford*—continued.

There is no doubt that, on the 6th of August, we came to the conclusion to dismiss Mr. Hood, and the main or soundest reason that we had to dismiss him, and upon which we were at perfect liberty to dismiss him, so to speak, was the pay-sheet, and his previous record; those things were there; we could act upon them there, and we did act upon them there.

1490. Yet when he appealed to you for re-consideration of his case, in this long interview, you did not once confront him with the charge of the falsification of the pay-sheet?—I do not suppose that we ever thought that he would be reinstated at the time of the Crewe meeting; so many of our customers, and so many people had got up petitions (as I said the other day, you you cannot do anything without petitions), that we felt bound to have him there before us to hear what he had to say; hence the Crewe meeting.

Mr. *MacInnes.*

1491. When did Mr. Conacher first mention that he had the correspondence about the hamper to the Board?—That would be at the meeting of the 6th of August.

1492. Did he give any reason for not having brought it before you previously?—He said he passed it over; that he ought to have mentioned it before; and I think he should have done so.

1493. You think so?—Yes, I think it ought to have been mentioned before considering our opinion of Mr. Hood.

1494. Are you aware that it was brought to his attention by the Superintendent of the London and North Western Railway?—Yes.

1495. You are aware that he followed it up till he got to the bottom of it?—Yes.

1496. You are aware that the London and North Western were not at all satisfied with the explanations they received?—They were not satisfied; that is shown in Mr. Entwistle's memorandum.

1497. Then may we take it that we are so far agreed in this, that the pay-sheet signed by Mr. Hood is incorrect; that is admitted all round, is it?—Yes, I think that is admitted all round.

1498. But the difference between you is that Stokes says he was on duty; but Mr. Hood tells us that he thinks Stokes was mistaken?—Stokes is agreed to have been on duty all round.

1499. But Mr. Hood has told us that he thinks Stokes is mistaken?—Yes; but since then Stokes has actually been called before the Committee.

1500. It is agreed that the pay-sheet is not correct; the difference between the witnesses is as to the question whether it was signed *bonâ fide* or *mala fide;* you say Mr. Hood signed it, knowing it to be wrong?—We say so, because of the confirmation we have of it.

1501. That was the opinion of the whole Board?—It was the opinion of those who looked into the matter; that was at the Board upon the 6th of August; we did not look into that question particularly closely at Crewe; we went on the general ground at Crewe; but when the question was considered by those who considered it at the meeting when Mr. Hood was ordered to be dismissed they came to the conclusion that the thing was false. We knew then that it had been brought to the notice of Mr. Hood in the meantime by Mr. Conacher before he gave his evidence in July.

Mr. *MacInnes*—continued.

1502. Taking your supposition that Mr. Hood knwingly signed an incorrect pay-sheet, have you any instance within your experience where a man would be retained in the service of a railway company after such conduct?—I have not; I have the opinion of general managers to the contrary.

Mr. *Mayuire.*

1503. Upon the meeting of the 30th September you said: "It appears that the whole object you had was to screen Humphreys, and that, in doing so, you followed up the evidence," and so on. Is that still your opinion?—That was with reference to the points which had been put to him before.

1504. "First, that this man was on duty 44 hours; second, that the permanent way was rotten; and third, that that was the cause of the accident." You still consider that Mr. Hood made those three statements merely with the object of screening Humphreys?—That was as I put it to him at that time, but, of course, that is modified by what takes place further on when we bring in assistant-guard Stokes; I wanted an admission from Mr. Hood then as to the evidence he had given here, and I think I got that admission.

1505. Will you refer to page 39; after Stokes had been produced, you say, "Just so, you have screened Humphreys, and now you see what it has got you to." Does not that rather seem as if you considered that the whole object both of his falsifying the pay-sheet and the other matters was to screen Humphreys?—I think I must have had a little too much regard for Mr. Hood at that time.

1506. Then you do not adhere to what you said there?—What I said there was what I felt at the moment warranted in saying. At that moment before the shorthand writer, Mr. Hood was not charged with the falsification of that pay-sheet; I mean that it was not published, that he was dismissed for that matter.

1507. But what I want to find out is do you consider that one object in falsifying the pay-sheet was to screen Humphreys; you evidently considered so on the 30th of September; do you still consider so?—It had very much that appearance.

1508. But do you still consider so?—I do not think it could be with a view to the small amount of money which he would gain by putting forward a false entry.

1509. Do you still think that was his sole object?—It is very difficult to say what the object of a man is who has got into the way that Mr. Hood has.

1510. That is what I want to get at?—I am a good deal perplexed myself.

1511. You cannot account for it?—No, unless it were to back up the evidence he has given. It is very difficult to account for a man's motives.

1512. You do not see his motive to screen Humphreys?

Mr. *Maguire*—continued.

Humphreys?—Unless he wanted to make out that Humphreys had not worked 44 hours.

1513. Would that be a sufficient motive for the making out of a false pay-sheet, and libelling your permanent way?—It does not seem to be so.

1514. Do you consider that this is a solitary instance at the station in which there has been a false entry in a pay bill?—I cannot say as to that; we have made no investigation.

1515. No investigation into the way in which the pay bills have been kept?—No, none; if we did we should not have the means of testing it very readily without great labour.

1516. Do you regard it in your own mind as impossible that Mr. Hood should never have heard that Stokes was on duty?—No, I do not believe that he did not know.

1517. Do you consider that it was impossible?—Yes, I think it was impossible; I have something in my hand which I think will show that; he initialed the book himself with Stokes' writing entered there.

1518. But there were numerous other entries in the sheet he initialed; do you suppose he went through all the initials against all the entries, although perhaps he ought to have done so?—He ought to have.

1519. How many entries were there on the pay-sheet?—I forget now; it is the block signal book which Mr. Hood initialed.

1520. It is from the fact of his initialing that page that you assume Hood must have known that Stokes was there?—Undoubtedly, because Stokes signed the book.

1521. I do not see any signature of Stokes' there; it is merely this handwriting; must Mr. Hood have known Stokes' handwriting?—Yes, undoubtedly; but I go further and say that Mr. Hood, in his letter to Mr. Conacher of the 16th December, admitted having received the telegram.

1522. That Stokes would not be wanted on the Monday?—That is at Question No. 57. I think I have alluded to that already; he admits that he received the telegram.

1523. The telegram which ends "Stokes to resume on Monday"?—Yes; it is in reference to that. Besides that, these questions of the telegram came before us at Crewe, and Mr. Hood did not then deny these telegrams; it occurred to him afterwards that he had better deny those, I think. He did make this remark; he said that had those telegrams been genuine they would have had upon them his initials; but that would not be so; they could not telegraph his initials.

1524. Still, it is upon the initials, upon the sheet, and upon this fact of the telegram "Stokes will resume on Monday," that you assume that Mr. Hood must have known that Stokes did the duty?—From these facts, and from the fact that his son was acting as his clerk at the station and saw Stokes arrive.

1525. There seems to be some doubt about that?—"J. A. Hood, goods' clerk," is on the pay-sheet.

1526. Still, that is not Mr. Hood himself?—No.

1527. At the time you held this meeting of

Mr. *Maguire*—continued.

the 30th September, did I understand you to say that you had no intention of reinstating Mr. Hood?—No, practically none.

1528. You merely held the meeting, in fact, to get what information you could out of him?—Because, in fact, we had a very large petition signed for his reinstatement. The feeling was that Mr. Hood had been dismissed without having been called before the board. We thought when we did it it was the most merciful way of doing it; we did not want to bring anything of this kind out against a man who was leaving us.

1529. Then so far as regards his chance of being reinstated by being called before the board it was a farce?—His chance was very slender I must admit.

Mr. *Radcliffe Cooke.*

1530. It must be now generally admitted that the material cause of the dismissal of Mr. Hood was the falsification of the pay-sheet?—Yes.

1531. If you had not discovered that you would not have dismissed him?—Not then.

1532. What was the actual amount of loss to the company from the falsification of the pay-sheet?—The loss could not be much.

1533. How much, 2 *s.* or so?—Two shillings or 2 *s.* 6 *d.*

1534. Had you ever discovered in the case of Mr. Hood any other instance of the falsification of a pay-sheet?—No, I had not.

1535. This falsification of the pay-sheet has been explained to the Committee in various ways: as being a payment to Robinson: because Humphreys wished Robinson to remain in the box: as being a payment to screen the company: and as being altogether an omission on Hood's part, a misstatement, and a mistake?—He tried to get out of it by some excuse.

1536. This occurred in 1887?—Yes; at the time of the accident.

1537. That is four years ago last year?—Yes.

1538. Was that at a time when according to, I think, your admission, the company were not in a position to exercise proper supervision over their staff?—It was at a time when they could not afford to expend any great amount of money in having assistant managers, and so forth.

1539. I think you said, at Question 1251, "We were not in a position to aid Mr. Conacher; that is to say, by the appointment of subordinates, affording that assistance which would have enabled him to have these minor matters dealt with." Then again at Question 1252 you were asked, "The time of Mr. Conacher was so occupied that he could not look into any of these details for the five or six years he was practically working as traffic manager;" to which you replied, "It appears that he did not look into this particular detail"?—That was in reference to Oswestry and the overwork there of 36 hours, which occurred once a fortnight; it was not in reference to Ellesmere, because the falsification of the pay-sheet was discovered since Mr. Hood gave evidence here as to Humphreys having worked 44 hours; there is no doubt about it.

1540. You were set upon it by that evidence,

Mr. *Radcliffe Cooke*—continued.

and then you discovered this falsification of the pay-sheet?—Yes.

1541. If in 1887 there had been proper supervision, could irregularities of this kind have occurred without being discovered sooner?—I think they might; if we had had a large enough staff to audit every pay-sheet they might have been discovered.

1542. You dismissed him upon the 6th of August, the material ground being the falsification of the pay-sheet?—Yes, and the previous record.

1543. You have told the Committee already that if it had not been for that you would not have dismissed him at that time?—That is so.

1544. Then afterwards Mr. Hood appeals for his case to be reconsidered?—He presents a petition, and I have a number of letters of one kind and another from him.

1545. Is not the effect of his petition that his case may be reconsidered?—No doubt.

1546. What other object could the man have?—He was impressed with the idea that he was dismissed because he came here to give evidence; such is not the case; he wanted to come before the directors, and even then he seemed to harp upon that string, and to say that he had been dismissed for giving evidence.

1547. When you had this second meeting of the directors you had no intention whatever in your own mind, had you, of reconsidering his case?—I do not think he had the ghost of a chance of his being reinstated.

1548. When a man's case comes before you you, I take it, hear what he has to say with a view, possibly, to altering the decision?—If it were possible to alter a decision in a man's favour we should be only too glad.

1549. I take it that you did not come to the reconsideration of his case, such as it was, with a very open mind?—Not with a very open mind, I am afraid.

1550. But you considered the case rather with a view to getting information about the long hours of the workmen than with a view to reconsidering the case?—We wanted to get all the information we could out of him on that point, therefore we examined him upon that point.

1551. Considering the object with which this Committee was appointed, do not you think that it was indiscreet to dismiss Hood for something that came out incidentally in his evidence of very small moment to the company, and which was occasioned by the want of a proper staff on the part of the company itself, no other instance of a similar kind having been alleged against him?—I should have thought it still more indiscreet upon the part of the company to have kept in the service of the company for months and months a man whom we had lost all confidence in.

1552. I put it upon public grounds: you know what the object of this Committee is; you sympathise with it, and you desire, of course, to help the Committee; do not you think that, under the circumstances, it was indiscreet of the company at that particular time to dismiss Mr. Hood?—I can hardly apologise for the company, I am afraid.

Mr. *Muntz.*

1553. We have cleared up the point that you dismissed this man on the ground that you found he had rendered a false pay-sheet, and thereby obtained money by false pretences; I think that is your position?—He obtained the money for some purpose or other, and either paid it away where it ought not to have been paid or dealt with it in some other way.

1554. I take it Mr. Hood's position would be one of very great trust?—Yes, he was an agent.

1555. He was your responsible agent at Ellesmere?—Yes.

1556. The duty of a station-master would be to keep accurate accounts of the time made by the various men employed at the station, upon which your general manager could place implicit trust?—Yes, certainly.

1557. And the general manager would consider that such statement was thoroughly reliable?—Yes.

1558. With reference to this charge that was made against Mr. Hood, have you any knowledge as to whether he paid these men or whether he retained the money?—I cannot say what he did with the money; all I can say is that he had credit for it, either out of the receipts of the Ellesmere Station, or it would be sent to him in the ordinary course.

1559. Would it be in the mind of the general manager that that was possibly part of a system he was carrying out?—I think when you come across a system of that kind it destroys your confidence, certainly.

1560. Would it in fact throw grave doubt upon the character of a trusted servant?—No doubt it does so.

1561. I presume this matter was a matter of public knowledge, known to the officials and servants upon the Cambrian Line, that is to say this matter of the pay-sheet, and the payment of these men?—I do not think it was generally known at the time of the August dismissal.

1562. And not since the dismissal?—It was not generally known, not even to any but the head officials of the company; or perhaps to Mr. Conacher only of the officials.

1563. But it might have been known to others?—Possibly.

1564. Is it not very important that the trusted agents and station masters of the company should have a character beyond suspicion?—Yes.

1565. And you think they have?—Yes; we do.

1566. And you felt that, under the circumstances, you could not retain Mr. Hood in his position with any confidence, or with any justice to the other servants of the company?—No; not after our information, and after the other revelation I have alluded to in the course of my examination.

Sir *Joseph Pease.*

1567. You heard to-day, probably for the first time, from the examination of the honourable gentleman opposite, that the day after or at the same time that Mr. Hood asked for leave to give evidence before this Committee, Mr. Conacher wrote to the London and North Western Railway Company relative to the hamper transaction which had occurred some time before?—Yes.

1568. Were

Sir *Joseph Pease*—continued.

1568. Were you aware of that until you were asked the question in the room?—I was not aware exactly to a day or so.

1569. Do you suppose that Mr. Conacher, when he wrote for that correspondence, desired to commence an investigation into Mr. Hood's character, or to be prepared with rebutting evidence when it came to a question of any matters which Mr. Hood might allege before this Committee?—It might be for either purpose; but I should think it could only be for the purpose of getting to know everything about Mr. Hood and his character that that correspondence was written for at the time; it was after permission had been given, I think, to Mr. Hood to come up here to give evidence.

1570. Mr. Conacher immediately wrote to the London and North Western Railway Company?—Immediately after, I think.

1571. After he had given him leave, simultaneously, if you please, with giving him leave, he wrote to the London and North Western Company to send him these "hamper" documents?—Yes.

1572. Was it to confirm an attack upon Mr. Hood's previous character, or for the purpose of being ready with rebutting evidence before this Committee?—I should think it must have been to look up Mr. Hood's character for veracity and so on; it might be, of course, to get other evidence; I cannot say.

1573. I think you have stated that the hamper transaction had nothing whatever to do with Mr. Hood's dismissal?—I stated that that was one of the bad features of his record. It showed that Mr. Hood prevaricated and tried to deceive another company, to say the least of it.

1574. In looking at the hamper transaction, you thought that the transaction was done in an irregular manner, in order to evade the payment of the carriage?—I have not the slightest doubt of it.

1575. I want to ask you another question about the guarantee fund; it is not a guarantee fund in order to ensure the payment of all moneys due to the company, is it; there are two funds,—one a superannuation fund, to which both the company and the men subscribe.

The *Secretary.*] And the other a mutual insurance fund, the object of which is to guarantee the fidelity of the employés.

Mr. *Muntz.*] But the mutual insurance fund has nothing to do with the superannuation fund?

The *Secretary.*] Not the least.

Mr. *Muntz.*

1576. (To the *Witness.*) He received back his payment to the superannuation fund?—If he had made any he would; our superannuation is only now in its inception.

1577. Mr. Hood stated that he received on leaving his guarantee money; that was the mutual guarantee money?—Yes.

1578. To which he had subscribed a certain portion in actual money?—I know nothing about it.

Mr. *Muntz*—continued.

1579. But surely you know whether, in case of default, that guarantee fund would not be drawn upon?—I suppose that was a different fund for the purpose.

1580. Therefore there was no claim for a defalcation in his own accounts against Mr. Hood?—There was no claim made by the company.

1581. Therefore he received his money in full?—Yes.

Mr. *Alfred Gathorne Hardy.*

1582. You were asked by Mr. Radcliffe Cooke whether the amount chargeable to the company through this falsification of the pay-sheet was not a very small one?—It was a very small one.

1583. But it was not the amount upon which your complaint arose; it was a case in which a false pay-sheet was put out by a trusted officer?—It was the principle.

1584. You did not consider it a matter of small moment in a man in a position such as that of a station-master?—Certainly not.

1585. And with reference to the re-hearing of a case, I presume when any servant of the company in a responsible position is discharged by the officers, and asks to be re-heard, whatever may be the opinion of the directors, they will grant him a re-hearing?—As a rule they do.

1586. You were asked whether you came to this meeting with an open mind; I presume you would not have dismissed him at all in the first instance if you had not been pretty well satisfied that he was guilty?—Certainly, under the circumstances which prevailed at the time.

1587. Therefore to that extent your mind was not open; but still, as he demanded a re-hearing, you granted it?—Yes.

Mr. *Howarth.*

1588. After all that has passed, do you still question the *bona fides* of Mr. Hood's answers in this room?—I do not quite understand the question.

1589. Whether they were accurate or not?—Yes, I do.

1590. Do you suggest any possible motive why he should have given any other than *bonâ fide* answers to the questions?—I can only suggest this, that he has been in collusion; I very strongly suspect that he has all along, with Mr. Bather, the trader, who was examined here.

1591. Why?—I have put in a letter in which he certainly admits that he has been approached by Mr. Bather.

1592. He had a substantial position with you; his position was a perfectly stable one as station-master; under these circumstances, can you see a rational motive for his coming here to tell the Committee what was absolutely *mala fide*?—I think his reasons were because he was chagrined or annoyed at the evidence Mr. Conacher had given previously in allusion to him and in allusion to the accident and his suspension; I can only attribute it to that.

1593. You think that is a rational explanation; that is your theory?—That is my belief.

Mr. James Thompson, called in; and Examined.

Chairman.

1594. What have you to say?—You will remember that the other day a statement was made as to my going into a signal box to take certain times; that is, to put down, as nearly as possible, how long I was occupied with the work; and I did, not in favour of the company nor in favour of any man. I went conscientiously. The man that I went to do duty for, I think I may say two days afterwards (it happened to be on a Tuesday, I believe), overtook me on my way home.

1595. You are speaking of Thomas?—Yes, I am speaking of Thomas, the man I did duty for. His language to me I would not like to express. When this occurred we were on day duty; he was stationed at one box and I at the other, and, I think, according to the statements before you, you will find that for weeks his language and abuse to me and his references to Mr. Conacher and the station-master and the company were such as I would not like to express. However, I bore it all, simply telling him not to go blaming me, that I was compelled to go; I never quarrelled with him once these several weeks, but was continually begging him and intreating him to cease, hoping that he would see his folly in going on at me without just cause, because I was compelled to to go on this duty. At last I could not bear it; it was taking effect upon me; I am getting in years, as the Committee will see, and it was taking effect upon my mind and body, and I felt I should not be doing my duty if I bore with it any longer. He came up into the box; I told him straight I would bear with it no longer. It would fill a newspapar if it was all put down what he said to me from the commencement.

1596. You complained to the station-master?—Yes.

Sir *Joseph Pease.*

1597. You charged him with being drunk, he says?—I did not; he charged me that I did not do my duty at the box; he also charged me that I did not clean the points.

Mr. *Radcliffe Cooke.*

1598. No; he said you did not put down his time for cleaning the points?—He said so, that is, when I was doing his work.

1599. Did you put down his time for cleaning the points?—Yes, I did, and correctly. I tried to bear with him, thinking he would see his folly, and cease going on so.

1600. What is your usual work?—Signalman.

1601. Have you a regular box, or do you relieve other men?—I have a regular box.

Sir *Henry Tyler.*

1602. Were you acting as relieving man on this occasion?—Yes, and another man was put in my place.

1603. What did you go to his box for?—To take the time the duty occupied.

1604. You were sent specially to do it?—Yes.

Chairman.

1605. That is what he abused you for?—Yes.

Sir *Joseph Pease.*

1606. Did Thomas fall asleep in your box?—He did.

1607. How long?—He was there two hours this night; he was frequently there going on at me; but this night he was there two hours.

1608. He frequently came to your box?—Yes, when we were on night duty, and he had nothing to do; he dared not come to me during the day.

1609. You were friends up to the time you were put in his box to check the accuracy of his evidence?—Yes.

Mr. Henry Spink, re-called; and further Examined.

Chairman.

1610. You gave evidence before the Committee last year?—Yes.

1611. You were at the time in the service of the Great Eastern Railway Company?—Yes.

1612. Will you tell the Committee what has happened to you since?—I have been discharged. The company did not give me the reasons why I was discharged. (*A paper was handed in by the Witness.*)

1613. This is merely a statement that you were discharged?—Yes.

1614. At what date were you discharged?—The 18th of November.

Mr. *Channing.*

1615. You gave certain evidence before the Committee as to the payment of overtime to yourself on the Great Eastern Railway?—Yes.

1616. And you were several times called to the offices of the company by the general manager, Mr. Birt, and questioned about this matter, were you not?—Yes, three times in front of the general manager, Mr. Birt.

Mr. *Channing*—continued.

1617. He ordered you to attend here and to hear his evidence, and if you were called upon, to correct his evidence?—He did not tell me what I was to do if I came up; he told me my evidence was inaccurate, and he ordered me to come up here.

1618. In what was your evidence said to be inaccurate?—About the overtime.

1619. And he explained in what the alleged inaccuracy consisted?—He said I suggested to the Committee that I had been cheated out of my overtime. I am still under the impression that I was cheated out of my overtime.

1620. Can you explain to the Committee the grounds you gave which led the Committee to think

Mr. *Channing*—continued.

think that you meant that you were cheated out of your overtime?—There is a circular issued by the directors in 1890 that we were to have six days' work, and the "overtime" there was defined for the seventh day. I drew the inference from that that if we did overtime upon any other day we should be paid as if we did it upon the seventh day; that is to say, if I had an hour and a half one night I should get a quarter for it, and that if I did another hour and a half another night I should get another quarter; but the officials, as it turned out, lumped it together at the end of the week and gave me a day's pay, or something like that.

1621. Did you base your calculation upon the company's circular?—Yes; for the seventh day.

1622. You made your statement to the Committee, believing that you were correct in your calculation of the overtime because of this circular issued by the company?—Yes.

1623. Has any change been made by the company as to the payment of overtime since you gave your evidence?—Yes; I did two nights, an hour and a half, and I got half-a-day's pay for it.

1624. You have been paid since you gave your evidence at the rate at which you thought you ought to have been paid before?—Yes.

1625. That is to say, there has been a change made in the payment corresponding to what you thought would have been the right method of paying before?—Yes; I thought so when I got half-a-day for three hours.

1626. You have several times been called before the company about this, and about other matters, have you not?—Yes.

1627. Will you state the circumstances which immediately led to your dismissal?—On the 16th of October I was 40 minutes late on duty, and that caused a delay of 18 minutes to a truck train.

1628. When you went to the porters' room, what occurred?—I omitted to sign on that I was late on duty, and I did not sign on that day. When I went next day I saw that the foreman porter had signed me on at the right time.

1629. What foreman porter?—Foreman Porter Negus.

1630. What occurred with reference to him?—The district superintendent came down to investigate the case, and Negus told him that I sung out from the box to him to sign me on. I deny this, but I admitted to the districtsuperintendent that I did say so, because I thought Negus was doing me a good turn.

1631. That is to say, Foreman Porter Negus seems to have signed you on?—Yes; I thought he was doing me a good turn.

1632. And therefore you screened him by your answer to the district superintendent?—Yes.

Chairman.

1633. You mean that you denied that you asked Negus to sign you on when really you had done so?—I deny that I asked Negus to sign me on, but I admitted to the district superintendent when he came down that I did ask him.

Chairman—continued.

1634. You told the district superintendent that you had asked Negus to sign you on when you had not done so?—That is so.

1635. If you had not asked him would he have done so?—Yes, he has signed me on before.

Sir *Henry Tyler.*

1636. Does he sign you on?—Yes, he signs my name in the book.

Sir *Joseph Pease.*

1637. As having been on at the right time?—Yes.

1638. He did that without your having asked him to do it, you say?—Yes.

Sir *Henry Tyler.*

1639. Has this happened very often, that he signed your name for you in the book, and that you did not sign it yourself?—It is only lately that there has been a system of signing on at all.

1640. I ask how often has it happened that he has signed your name in the book instead of your signing yourself?—I could not say; it has happened several times.

1641. Has it happened ten times altogether, should you say?—Yes, I should say it has more than that.

Chairman.

1642. On that day did you ask anybody to sign you on?—I asked Foreman Porter Cann to sign me on. Chaffing, I said, "I was late this morning; sign us on, Cann." He said, "No, I will not," and he did not.

1643. Then you got Negus to sign you on?—He signed me on the next morning; I think that is how he did it.

1644. I suppose no one has any business to sign you on if you are late?—There was no system of signing on at the Custom House until the last few months; we used to go in the box and take charge and not sign at all.

1645. When did this system begin?—About nine months ago I should say it is now.

Mr. *Channing.*

1646. What other questions did Mr. Rendel, the district superintendent, put to you that morning?—He said to me, "You know how to speak loud enough about your overtime; you think you can do as you like, but perhaps you will find yourself in Queer-street."

1647. That was on the same day upon which he questioned you about this signing on by Porter Negus?—Yes.

1648. How did you reply to that?—I replied, "Oh!" quite accidentally like, when he said that I should find myself in Queer-street; and that was all we said.

1649. Had you spoken to him on that occasion or any other occasion in an improper way?—No; I never had anything reported against me for that.

1650. How long have you been in the service of the company?—Eight years.

1651. And you stated that you had no report made against you for your conduct to your superiors previous to this occasion?—No, nothing.

Mr. *Channing*—continued.

1652. You were afterwards called upon to see the general superintendent at Liverpool-street, were you not?—Yes.

1653. Upon the 18th of November did you go to Liverpool-street and see the general superintendent?—Yes.

1654. Did he make any statement to you as to any charge brought against you?—He did not distinctly state any charge, but he said something about speaking in an offhand manner, and that they must have discipline maintained, and that it would be best that they should have my services dispensed with.

1655. Was the only charge he made against you that you had spoken to your superior in an offhand manner?—That is all I could make out.

1656. Did he find fault with you specially for having been late upon this morning?—No.

1657. He only mentioned your offhand manner to the district superintendent?—That is all.

1658. Did he ask you to explain what had occurred with reference to the district superintendent?—I told him that I did not speak in an offhand manner; I asked the foreman porter, what was up there, and he denied it too.

1659. Was Foreman Porter Negus there on this occasion?—Yes.

1660. What happened?—I was given a week's pay on the spot.

1661. Without any reason alleged, except that you had spoken in an offhand manner to your superintendent?—Yes; that, and being late on duty as well.

1662. That was reported against you?—Yes; that was in the report from the district superintendent to the general superintendent.

Mr. *Radcliffe Cooke.*

1663. What effect has being late on duty; it means that there is nobody in the signal-box to work the signals, I suppose?—Yes.

1664. Now, with respect to this signing for you, does that mean that when you are late somebody else signs the book as though you were not late?—That is how it is done in one case.

1665. And you were dismissed from the service of the company because you were late, and because you got other people to sign the book for you?—Yes.

1666. And not because you gave evidence before the Committee?—I leave that to the Committee.

1667. You leave that for us to judge?—Yes.

1668. Were you offered the option of resigning instead of being dismissed?—Yes.

1669. But you refused to resign?—Yes; I said "I would rather not resign."

1670. Had you, before you left the service, or were dismissed the service, any intention of leaving the service and taking a public-house?—I might have said so.

1671. But you surely know whether you did or not; did you ever say to the station-master, or any one of your superiors, that you intended to leave the service of the company and take a public-house?—I said, in a year or two's time.

1672. Did you save up a certain amount of money in the savings bank with a view of taking a public-house?—Not with that view.

Mr. *Radcliffe Cooke*—continued.

1673. But you have that amount of money?—Yes.

1674. Since you have been dismissed from the service of the company, have you received from the Amalgamated Society, of which I believe Mr Harford is the secretary, a sum of 50 *l.*?—I shall next Sunday.

1675. To compensate you for having been dismissed for giving evidence before this Committee?—Yes.

1676. Have you taken a public-house with those two sums of money?—No.

1677. Are you in treaty for one?—No.

1678. At any rate, you have the 120 *l.* you have saved, and you are to have the 50 *l.* from the Amalgamated Society?—Yes.

1679. Next Sunday?—Yes.

1680. It is to be given to you at a public meeting that is to be held next Sunday to sympathise with you for being discharged for giving evidence?—Yes.

Chairman.

1681. If you had resigned would you have got the 50 *l.*?—No.

1682. Is that why you refused to resign?—It was one of the reasons, certainly.

Sir *Henry Tyler.*

1683. What officer did you see when you were called up upon this matter?—Mr. Jury, the assistant superintendent.

1684. What did he say to you?—He says to me, "Spink, you seem to be under the impression that you were cheated out of your overtime." I says, "Oh, I don't know." He says, "I was up in the room when you gave your evidence, and you certainly, to my mind, left the impression behind you that you were cheated out of your overtime. I will give you every opportunity; you shall have the books and the pay-sheets at the Custom House; I will give you every opportunity to verify that statement." I looked at the books and the pay-sheets, but they would not let me have them at the Custom House; but I went afterwards up to Liverpool-street, and they gave me an abstract of the time I worked.

1685. Who gave this to you?—Mr. Nettleship's clerk.

1686. Did you have every opportunity of going through the pay-sheets?—I did not go through the pay-sheets; they gave me an abstract of the pay-sheets.

1687. To show you the time you had worked and what you had been paid?—Yes.

1688. Did they go through them with you?—Yes, they went through them with me.

1689. Were they correct?—I received the money they said I had received, but I thought I ought to have more.

1690. What ground have you for thinking you ought to have more?—By the directors' circulars that were issued, in which we were rated six days a week.

1691. Did you go into particulars to show that you ought to have had more?—I pointed to the circular, but the general manager would not go into it.

1692. Have

Sir *Henry Tyler*—continued.

1692. Have you any further claim now for overtime; do you think now that you have not been paid all that you ought to have had?—I think I am entitled to a day and a-half more overtime, according to the list I made up and sent up here to the Committee

1693. In the eight years. Then you have not been satisfied with the representations made to you by the officers of the company?—No.

1694. You still think you ought to have something more?—Yes.

1695. You said something about a change having been made in paying overtime since you gave evidence before the Committee; what change has been made?—I have done an hour and a-half each night for two nights, and I received half a day's pay for that.

1696. You received half a day's pay for an hour and a-half's work one night?—No, on two separate nights.

1697. Is that more than you had received before?—It was more than I had received if I had worked the week through.

1698. Was it anything in addition to what you had received previously?—Yes, if you take the general run of it.

1699. Have you really received anything more since than you did before?—I should have received more if they had paid me the other overtime the same as those two nights.

1700. Do you allege that you have been dismissed from your position as signalman because you gave evidence here?—Yes, that is one of the causes.

1701. What reason have you for saying so?—By the district superintendent speaking to me the same as he did.

1702. Mr. Rendel, do you mean?—Yes.

1703. What did he say?—He said, "You know how to speak loud enough about your overtime; if you do not mind you will find yourself in Queer-street."

Sir *Henry Tyler*—continued.

1704. What else happened?—That is all that happened. I had to go up to Liverpool-street, and was discharged.

1705. Did he not say anything to you about not attending at the proper time at the signal cabin?—Yes, I was late that morning.

1706. Did he not come to ask you why you were late?—Yes.

1707. What did you reply?—I overslept myself.

1708. Did you not say you could not undertake to come on duty at the proper time if your rest was broken?—Yes, I might have said that.

1709. Did he not point out to you how long you had been off duty?—Yes.

1710. How long had you been off duty?—I could not say now.

1711. Do you mean to say you had not been 14 hours off duty?—The inspector told me I had been 14 hours off duty, but I told him we could not keep time if we were called out at half-past two in the morning.

1712. Were you called out at half-past two in the morning?—I had to be on duty that morning at 4.10.

1713. What time did you get on?—It was 4.50 when I got on.

1714. Did you not treat the matter with indifference?—It might have been so to his mind.

Mr. *Muntz.*

1715. When did this conversation between you and Mr. Rendel as to the overtime, and putting you in Queer-street, take place?—I could not say exactly the date; but somewhere about the 12th November.

Monday, 14*th March* 1892.

MEMBERS PRESENT:

Sir Michael Hicks Beach.
Mr. Channing.
Mr. Crawford.
Mr. Flynn
Mr. Alfred Gathorne-Hardy.
Mr. Herbert Gladstone.
Mr. Howorth.
Mr. MacInnes.
Mr. M'Laren.
Mr. Muntz.
Sir Joseph Pease.
Mr. Somervell.
Sir George Trevelyan.
Sir Henry Tyler.
Mr. Vernon.

THE RIGHT HON. SIR MICHAEL HICKS BEACH, IN THE CHAIR.

Mr. WILLIAM BIRT, re-called; and further Examined.

Sir *Henry Tyler*.

1716. You are the General Manager of the Great Eastern Railway?—Yes.

1717. I think you have been already examined before the Committee?—I have.

1718. You are aware that since the meetings of the Committee last year Signalman Spink has been discharged from his position as signalman upon the Great Eastern Railway?—That is so.

1719. Will you inform the Committee of the circumstances under which he was discharged?—The irregularities which led to his discharge were three; one was coming on duty late on the morning of the 16th of October; the second was attempting to conceal his late arrival by causing an inaccurate entry to be made in the time book; and the third, the extreme indifference he showed when spoken to about the matter, first by Mr. Randall, one of our district superintendents, and next by Mr. Nettleship, the superintendent of the line.

1720. How much was he late in coming on duty upon the 16th of October?—About 40 minutes.

1721. How was that discovered?—It came to light out of an inquiry that was made at the Custom House Station by the district superintendent into a goods train having been kept outside the station about 18 minutes, waiting to go through.

1722. And, as a result of the inquiry as to why the goods train was late, you found out that Spink was forty minutes late in coming on duty?—That is so.

1723. Otherwise you would not have known anything of it?—We should not.

1724. What do you mean by his attempting to conceal his late arrival?—He induced the foreman porter at the station, whose name is Negus, to insert him as having come on duty at the proper time, notwithstanding that he had arrived some forty minutes late.

1725. Are you aware that Spink has denied, in this room, having asked Negus to enter his name on the book?—I believe he did, in this room.

Sir *Henry Tyler*—continued.

1726. Have you evidence to prove that he did?—I believe there will be plenty of evidence to clear up that point.

1727. Is Negus here?—Yes.

1728. Have you got the time book here?—I am not quite sure whether it is in the room or not, but, of course, the point is the concealment of the fact that the man had arrived improperly some forty minutes after time. (*The book was handed in, and the entry exhibited.*)

1729. If the goods train had not been late that entry would have been considered sufficient, and Spink would have been taken to have come on in proper time?—He would.

1730. You say that he treated the matter with indifference when spoken to about it; what do you mean by that?—There was a very general indifference on his part; he occasionally put on a churlish kind of laugh, evidently showing that he attached no importance whatever to the serious offences he had been guilty of; he was asked why he was late, and amongst other things he said he could not be expected to arrive to time if his rest were broken; it was pointed out to him that he had not been on late duty the whole of that week (this happened on the Friday morning), and that, therefore, there had been no disturbance of his rest so far as the company was concerned; yet the only reply he made was, "I have no other answer to give."

1731. Did you see him yourself?—No, I did not; it happened that at this time that I was away ill; I did not know of his having left the service of the company till about a week or two afterwards; but when I became aware of it I investigated the matter with the superintendent, and said that I approved of the course he had taken; it was in my judgment the only course he could have taken.

1732. It was done by Mr. Nettleship, the superintendent, upon his own responsibility?—It was;

Sir *Henry Tyler*—continued.

was; but I am bound to say I quite endorse the action which Mr. Nettleship took.

1733. He will be able to tell the Committee the circumstances under which he acted?—Yes.

1734. You were very ill at the time?—I was; I was away six weeks altogether.

1735. You do not know yourself, I suppose, whether Spink was given an opportunity of resigning?—I heard that from Mr. Nettleship.

1736. Spink stated on Thursday last that a change had been made in your method of paying overtime; is that correct?—It is not correct; there has been no change whatever made.

1737. Was there any change whatever made in his case?—None; the system to-day is precisely the same as it was when Spink was first before the Committee.

1738. I think you have Mr. Nettleship in attendance, and also Mr. Drury, the assistant superintendent, and Mr. Randall; and the station-master, Mr. Tavener, and Negus, the foreman porter?—Yes; they all know more or less of the matter. We court the fullest inquiry into the matter, and for that reason they are in attendance.

Mr. *Channing.*

1739. He was dismissed summarily by Mr. Nettleship, was he not?—He was not dismissed summarily, but he was dismissed in a very kind way; he was offered the opportunity of resigning, which he said, "I will not do"; then Mr. Nettleship said, "Then I shall have to discharge you"; but Mr. Nettleship acted very kindly, he said to Spink, "You need not work your notice out. I will pay you your week's pay at once, so that you may have an opportunity of getting fresh employment before the week is out.

1740. By "summarily," I meant, without reporting the matter to you, or to the directors, or without granting any delay for further inquiry into the circumstances?—Mr. Nettleship did it without reference to me or the directors; but there was no haste about the matter.

1741. But did he discharge Spink upon the same day as the affair was brought to his notice?—No, he had had the matter before him some time; the matter had been investigated, and it was not until the matter had been investigated that Mr. Nettleship had the man before him, so that he might answer the charges brought against him; for instance, the late arrival was on the 16th of October, and this man was not discharged until, I think, the 13th of November.

1742. When the offence was brought to the attention of Mr. Nettleship, did he call upon Spink to explain the circumstances, and give a full explanation of the circumstances or otherwise in answer to the charge?—Yes, the district superintendent was sent to the Custom House Station to see Spink, and every one else who had any connection with the transaction. It was after that inquiry had been made, after the district superintendent had been seen, that Mr. Nettleship saw the man himself. Spink was offered the fullest opportunity of giving any answer he liked.

1743. Then, practically, may I take it that what happened was, that Mr. Nettleship decided

Mr. *Channing*—continued.

the matter on the report of Superintendent Randall?—Nothing of the kind; he had before him the whole of the facts as they were elicited, and then gave the man the opportunity of answering them.

1744. The material facts are these, that the man gave what you say was a jeering answer, with reference to foreman porter Negus, and he was disrespectful to Superintendent Randall; is that so?—I do not know that he was disrespectful to Superintendent Randall; there was a general indifference on Spink's part; there was no doubt that the man was playing up to be discharged; we could not think at first what was the explanation of his conduct, but his conduct is made clear now by what has come out during the last few weeks. We heard that it was his intention to resign the service; he expressed his determination to resign to the station-master last year, and when at the same time it came out that, by being discharged and not resigning, he would be able to receive 50 *l.* from his union, his conduct explained itself.

1745. Granting your own hypothesis, is it not the fact that your officials acted rather more summarily and promptly in the case of this man than they usually do?—Certainly not.

1746. Can you quote any other instance of a man being 40 minutes late in coming on duty, and giving perhaps a saucy or a careless answer to his superintendent when his attention was called to it, being dismissed?—Spink was not discharged for those two offences alone; he was discharged for being 40 minutes late on duty, and giving a disrespectful reply, plus the offence of causing an inaccurate entry to be made in the time book.

1747. Was he responsible for that?—He was held responsible for it; Spink admitted that he got Negus to make this false entry, and he admitted that he was late in his time of arrival.

1748. His statement to the Committee was that he called upon foreman porter Cann to sign for him, that Cann refused, and that Negus afterwards signed for him without being asked to sign by Spink?—I know nothing of the matter personally; but Negus is here, and we offer the Committee every facility for investigating the matter.

1749. There seems to be a great deal of irregularity about signing on and off?—Spink said there had been a change in regard to signing, and so there was, and I will tell you how it all came about. Some nine months ago it was found that our system of booking-on wanted revising throughout the whole system, and it was revised throughout the whole system, to bring our procedure up to modern requirements.

1750. Have you not found in practice that unless you are strict in these matters the men will favour each other by this sort of connivance, ignoring small unpunctualities and things of that kind?—I have never heard it suggested, and I do not believe it for a moment.

1751. You believe this is an isolated case?—I do.

1752. Have you considered Spink's evidence given on the last occasion with reference to the matter of overtime?—Yes.

1753. Those

Mr. *Channing*—continued.

1753. Those statements you consider erroneous entirely?—They are erroneous to this extent, that there has not been any change made whatever; but he seemed to me to labour this point, that he was working three hours, and was paid half-a-day. That is quite right, because fractions of a quarter of a day we pay as a quarter of a day; and inasmuch as his box was a ten hours' box, that is to say, 2½ hours to the quarter, having worked only three hours he was entitled to half-a-day; but he was entitled to receive, and did receive precisely the same amount before the time of his giving evidence to this Committee last year.

1754. He was under the impression that he received less?—I do not want to impute anything to Spink, far from it, but he was wrong in the evidence he gave.

1755. You do not wish to impute that he wilfully misrepresented matters?—I certainly do not; I have no sufficient motive for doing anything of the kind.

Sir *Joseph Pease.*

1756. You are aware that Spink said in his first examination before the Committee that he did not keep any account of his own overtime to check the company's payments to him?—I believe he did, but his evidence was very indistinct on that occasion; he unfortunately mixed up the overtime of another man with his own overtime.

Sir *Joseph Pease*—continued.

1757. Were you in the room when he was examined upon the first occasion?—I am not sure whether I was or not; I was part of the time, I know.

1758. The question that was put to him was: "Do not you see at the end of the month that you get the proper amount of your overtime? (*A.*) No. (*Q.*) Do you not keep an account of it yourself? (*A.*) No"; but he never asked for explanations of his overtime pay, to your knowledge, to check the overtime?—Never, so far as I know. If he had been desirous of being satisfied upon the point we should have been only too glad to have satisfied him.

Mr. *Muntz.*

1759. You were asked by Mr. Channing whether you had dismissed any other men under similar circumstances; I should like to know whether you have known of such a case as a man being 40 minutes late at his signal-box, keeping a train waiting, and making no entry in the time-sheet himself, but asking another man to make a false entry in the time-sheet?—Certainly, I never did.

Mr. John Henry Nettleship, called in; and Examined.

Sir *Henry Tyler.*

1760. You are the Superintendent of the Great Eastern Railway?—I am.

1761. Will you tell the Committee what brought this matter concerning Spink first to your notice?—A report from the district superintendent, Mr. Randall.

1762. To what effect was that report?—The report was to the effect that Spink had come late to duty, and that he had got the foreman porter to book him on, in order that the fact of his coming late to duty might not be discovered, and the excuse he gave for coming late.

1763. When Mr. Randall made his report to you what steps did you take?—I gave instructions for the whole of the men concerned to come up and see me.

1764. Did you see them?—I did.

1765. Who were they?—Spink; the station-master, Mr. Randall; and Negus, the foreman porter.

1766. You heard what they all had to say?—I did. In the first instance I stated to Spink what the charges were against him, and I asked him whether they were correct. He said the charges were correctly stated; and when I put it to him as to whether it was not an unreasonable suggestion of his that he came late to duty because he had been mistimed, seeing that he attributed that mistiming to being an hour-and-a-half beyond his ordinary hours of duty some week before, he said "No"; that was his answer.

1767. Did he say anything else?—I told him that as that was his answer, as he had expressed no regret for coming late, but justified it in such a manner, I could see no alternative but his leaving the service. "But," I said, "I should be sorry to do you any injury as to your future, and if you think well to resign you may do so; if not, I shall be under the necessity of discharging you."

Sir *Henry Tyler*—continued.

1768. What did he say to that?—He repudiated the idea of resigning altogether; I said, "Then I have no alternative but to discharge you, but you shall receive your week's pay in lieu of notice, so that you shall have the opportunity of looking out for another situation."

1769. Did he admit at the time that he had asked Negus to sign on for him?—He had admitted that he had asked Negus to sign on for him.

1770. You are aware that since then he has denied it?—Yes.

1771. Is that Negus' handwriting in the book (*exhibiting the time book*)?—Yes.

1772. You know his handwriting well, I suppose?—I cannot say that I know his handwriting well, but I am satisfied that that is his handwriting.

1773. You reported this matter to Mr. Birt, I believe, when he returned from his sick leave?—I mentioned the circumstance to Mr. Birt some fortnight or three weeks afterwards when I saw him at his house.

1774. And he confirmed your action?—Yes.

Mr. *Channing.*

1775. Was Spink's manner disrespectful to you?—No, not at all.

1776. Was

Mr. *Channing*—continued.

1776. Was there a written report sent of the interview with Superintendent Randall?—Yes; it was upon that report that I ordered him to see me.

1777. What did the report call attention to specially, the signing on?—The coming late to duty, the signing, and the justification he gave for coming late; there was also some mention made as to the manner in which he answered Mr. Randall; but I did not attach undue importance to that; it was the other three matters which more especially influenced my mind.

1778. Was there any special attention given to his case because he had given evidence before the Committee which seemed to reflect upon the company?—Certainly not; I should have been glad if I had had to deal with some one who had not given evidence here; but I could not allow the fact of his having given evidence to influence me either one way or the other.

Mr. CHARLES ALFRED RANDALL, called in; and Examined.

Sir *Henry Tyler.*

1779. YOU are one of the district superintendents on the Great Eastern Railway?—Yes.

1780. For which district?—The southern division, the London and Suburban.

1781. Will you tell the Committee how your attention was called to the case of Spink?—I had a report as to a delay to a down goods train, and when enquiring into that, I found it had been delayed by no signalman being in attendance at the Custom House Station Box.

1782. You thereupon made enquiry?—I made enquiry at the Custom House Station and found that signalman Spink had been late to duty.

1783. How did you know that he had been late to duty?—From the fact that he should have been there at 4.10 in the morning, and that he was not there until 4.50, to signal the goods train.

1784. Have you any evidence as to the actual time at which he did come on duty?—No, there is no actual evidence; but I took it from the books that were there, and from the admission he made to me that he was about from 40 to 45 minutes late on duty.

1785. It might have been more?—I do not think it could have been more, because the goods train was signalled at about that time.

1786. He must have been there to do it?—Yes. I had to go there upon the instructions of the superintendent, to see the man and question him as to why he was late. In the ordinary course of my duty I have to see if any man is late, why he is late, so I went there to see him.

1787. Where did you see him?—I went to see him on an early day in November; I saw him in the porter's room. I said, "Well, Spink, I have called to see you respecting the detention to the goods train upon the 16th of October; I find you came late to duty." He said: "Yes, I did," I said, "Very late." He said, "Yes." I said, "Why was that"? He said, "I cannot get on duty at my proper time if you break my rest." I did not quite understand what he was driving at; so the staff appearance book being at hand, I looked over it, and said: "You left off duty at 2.30 the previous day; you had been off 14 hours; I do not know what you mean by your rest being broken in upon." He did not make any answer to that; he looked at me in a sullen, silent sort of way, but did not give any explanation of it; then he said, "No, if you break my rest I cannot get to my time." I examined the book at the time, and it turned out that for several days he had only been doing his regular duty; he had made no overtime since the previous Saturday (October 10th), when he worked from 2.30 p.m. to 2.30 a.m.; *i.e.* 1½ hours overtime; but he was off duty all the next day (Sunday, October 11th), and did no further duty until 4.10 a.m. on Monday, October 12th; so I said, "That is not a satisfactory explanation, Spink; your rest has not been broken;" he had nothing else to say.

Sir *Henry Tyler*—continued.

1788. Did he treat the matter with indifference?—He did, with a jeering kind of grin upon his face, as though it was of no importance to him. Then I said to him, "Why did you not sign your name when you came on duty"? He said, "I got Negus to sign for me"; and I said, "Yes, I see you did; but did you tell Negus you had come late on duty"? He said, "No, I did not." I said, "Did you ask Negus to sign you on the right time"? He said, "Yes." I said; "Then you purposely misled Negus"; he said, "Yes, I did; I did not think there would be any fuss made about stopping a goods train"; I told him if he thought he could play fast and loose with the company he would find he had made a mistake; they would not stand any such game as that.

1789. He told us that you said something about putting him in Queer-street?—I did not make any threat to the man, but I made him distinctly understand that I should not pass by such conduct as that; he had not only offered no fair explanation of his irregularities, but he seemed to think he had done perfectly right, and almost assumed that I had no right to ask him questions.

1790. He told us, you said, he would find himself in Queer-street?—I did not threaten him; I never made that remark, but I let him know that it was a thing that could not be passed by, and that I should report him. If he had apologised in a proper way, and said he was sorry he was late, in all probability he would have been cautioned and have been continued at his duty.

1791. Would you have thought it necessary to report him to the chief superintendent?—Yes, but in a different manner from the way I did.

Chairman.

1792. Did you say anything about overtime to him?—No; he did not question me anything about his overtime.

1793. Nor did you say anything to him about it?—No, I said nothing to him about it (*after consideration*);

Chairman—continued.

consideration); I beg pardon; I think I said to him; "If you had been on overtime you would have signed the book for it, and you ought also, in common honesty, to have signed on the proper time when you came late.' I think I made that remark.

1794. You are acquainted with this book before me, are you not?—Yes.

1795. Do you know Spink's signature?—Yes.

1796. Is there any other case except this one in which another person signed on for Spink?—Yes, there are such cases I find.

1797. Do you find such cases there in the same handwriting as this one (*exhibiting an entry*)?—I do not think they are all signed on by Negus.

1798. Are they all of them in the same writing?—I do not think I have examined them closely enough to say.

1799. This is the night when Negus is on duty?—Yes, or rather the morning.

1800. Upon the 14th, it is Spink's own writing?—Yes.

1801. Look at 2nd October?—I think that is signed by Negus, too; I feel certain it is. On 7th September he is apparently signed for by Foreman Porter Cann; I believe that is his handwriting; on 3rd September it is apparently signed by Negus; on 12th August it is by Cann, the other foreman; on 8th August I do not know that handwriting; and there is a case in July in which I do not know the handwriting at all.

Sir *Henry Tyler.*

1802. Where is that book kept?—In the porters' room.

1803. Is that near the signal cabin?—He passes that on his way to the signal cabin.

1804. As he goes to and from duty?—Yes.

Chairman.

1805. Ought not the man to sign on for himself?—Yes.

1806. How do you account for the great irregularity which is shown by the number of times other persons have signed on for Spink?—It is an irregularity; but it is an irregularity which the station-master should have noticed and put right; I do not examine these books unless I have some reason to do so; it is only by comparing the signatures that I should know it was not Spink's writing.

Sir *Joseph Pease.*

1807. Are the pay-bills made out from these books?—Yes.

Mr. *Channing.*

1808. There was considerable irregularity in this matter of signing on, was there not?—Yes; there was irregularity in getting a man to sign for him at the wrong time, undoubtedly.

1809. But, according to your own statement to the right honourable Chairman, this loose system of the men signing on for each other had gone on for some time?—It had occurred in several instances in the case of Spink; I do not know whether it has in the case of other men; I do not know whether he was late in the other cases also.

1810. I am not defending the system; I think it a very improper one; but did you not make any allowance to the man in consequence of it having gone on for some time?—But in this case he admitted having purposely got another man to sign on for him a false time, so that the question of anybody merely signing the book does not appear to enter into the question at all.

1811. I particularly do not want to attach blame to other persons further than is necessary, so I will not press that point further; but I will ask you whether you would produce the report you sent in to your superior officer on the case?—I think it is in the room. (*The same was produced.*)

Chairman.

1812. Will you read it?—This is the report I made. "To J. H. Nettleship, Esq. November 11th, 1891. Signalman Spink, Custom House, late to duty on 16th ulto. I saw this man on 15th inst. to caution him for the above irregularity, and for not signing on duty on that date. In reply to my question as to the cause of his being late, Spink said (in a most off-hand manner) that he cannot undertake to get to duty at his proper time if his rest is broken. I pointed out to him that he left duty at 2.30 p.m. on the previous day, so that there could be no good reason why he did not get sufficient rest to enable him to be there again at 4.10 a.m the next morning (he having been off nearly 14 hours), and he again repeated his former statement. Asked if he had any further explanation to offer, he said 'No,' and, in reply to my warning that such a thing would not be tolerated, he merely said 'Oh.' I then questioned him in the presence of F. P. Negus as to why he asked the latter to sign him on duty, instead of doing so himself, and he admitted that he purposely got Negus to sign for him, without saying he had come late to duty, so that it might not be discovered, as he did not think there would be anything said about the delay to the down goods train. As he admitted that Negus acted quite innocently in the matter, and that he (Spink) misled him, I told Negus that the fine against him would not be carried out." It was intended to fine Negus, but in consequence of this statement that intention was not carried out. "I must add that Spink treats the matter with cool indifference, seeming to think that he can do almost as he pleases. The station-master says that he is treated in just the same manner by this man; it cannot be called impudence, but, in manner, it almost amounts to it, and is setting an example amongst the other men which tends to make proper discipline most difficult to maintain."

Mr. *Channing.*

1813. You were quite aware when this occurred that the man had given evidence here on this question?—I was; but I assure you that it had nothing whatever to do with what took place. I had no feeling whatever against the man. I asked him, when he was before Mr. Nettleship, did he intend to say that I had any feeling at all against him; he said, "Certainly not." I have had him promoted several times, and have entertained nothing in the way of feeling against him.

1814. It

Mr. *Channing*—continued.

1814. It is said that you used these words, or words similar in purport to them: "You can talk loud enough about your overtime"?—I did not say that; I think I said to him, "If you had been on overtime you would have signed the book for it, and you ought also, in common honesty, to have signed the proper time when you came late."

Mr. MARK NEGUS, called in; and Examined.

Sir *Henry Tyler.*

1815. You are foreman porter at the Custom House Station?—Yes.

1816. Do you remember Spink asking you to sign for him?—Yes.

1817. In the time book?—Yes.

1818. On what day was this?—The 16th of October.

1819. Did you do so?—Yes.

1820. Had you done so frequently?—Yes.

1821. How many times do you think?—I cannot say how many times.

1822. How came it that he asked you to sign?—He opened his box door, and said, "Sign us on." I did not answer him, but I held up my hand, because I was busy attending a train.

1823. You seem to have been in the habit of signing for him, signing his name in the book as if he was signing himself; how did you get into that habit; did you not consider it was irregular?—No.

1824. Did you know that he came late on that morning?—No.

1825. Then you signed as if he had come on in time?—Yes.

1826. Are you sure he asked you, and not Cann, to do it?—He asked me.

1827. Did he speak to you by name?—No. Oh, yes, he did. "Sign us on, Mark," he said.

1828. That is your name?—Yes. I did not answer him, but I held up my hand like that (*indicating*), because I was busy attending a train.

Chairman.

1829. Have you signed on for other people?—Yes, the other signalman; I have signed on for him once or twice, I think, when he has called out to me to do so.

1830. What is his name?—Humphreys.

1831. Did you ever sign on for any of them without being asked to do so?—No, never.

Sir *George Trevelyan.*

1832. What is the reason why they ask you to sign on?—I do not know.

1833. Is it to avoid the trouble of their going to the book?—I suppose it would be; I cannot think of anything else.

Chairman.

1834. When you were asked to sign on why did you not sign the real time at which Spink came on duty?—Because I did not know what time he came on.

Mr. *Muntz.*

1835 Were you both in the same box?—No, I was on the platform.

Mr. *Muntz*—continued.

1836. Then it saved him the trouble of coming down from his signal box to the platform?—Yes.

1837. That is why he called to you?—Yes.

Mr. *Channing.*

1838. Where was the book kept?—In our room, the porters' room.

1839. Was it accessible at all times?—No, not when I was away; we shut the door then.

Mr. *Crawford.*

1840. When is a man supposed to sign on; as soon as he arrives?—Yes.

1841. Then you must have known that that was not the right time?—I did not see him come; he was there when I got there; I did not get there till ten minutes to five.

Mr. *Muntz.*

1842. What time was it when you signed?—10 50.

Sir *Joseph Pease.*

1843. You say the book is kept in the porters' room?—Yes.

1844. Who has the key of the porters' room?—I have.

1845. Then, if he came on duty at 4.10 he could not go into the porters' room and enter himself as having come on duty then?—But the book should have been left over in the other porters' room; there are two porters' rooms.

1846. The practice of signing has only gone on for some months, has it?—Yes; we have signed on ever since I have been there; that is four years last September.

1847. Are you sure that the men on this cabin signed regularly?—No, they did not sign regularly when we had the old station-master there; we have a new station-master there now.

1848. He makes them sign when they come on, and when they go off?—Yes.

1849. You do not sign at the request of anybody?—No, not now.

1850. But Spink could not have signed on that morning if he had been on at the proper time; the book was in your custody?—Yes.

Mr. *MacInnes.*

1851. Did not you say just now that the book was in the other room?—It should be there; in the other porters' room.

Mr. *Alfred Gathorne-Hardy.*

1852. Could he have got at the book to have signed it himself at 4.10 if he had wished to?—I cannot say whether he could have or not, or whether the book was left out; sometimes the other porter forgets to leave it out, or the porter forgets to take it out; the nightman should take it;

Mr. *Alfred Gathorne-Hardy*—continued.

it; there is a nightman there all night, and he is supposed to take the book over to the other room.

Mr. *Alfred Gathorne-Hardy*—continued.

1853. Spink ought to have had access to the book, but you are not perfectly sure whether he had or not?—No.

Mr. GEORGE CHARLES TAVERNER, called in; and Examined.

Sir *Henry Tyler.*

1854. YOU are a stationmaster in the service of the Great Eastern Railway Company, and are in charge of the Custom House Station?—Yes.

1855. How long have you been there?—I was appointed on the 9th of June 1891.

1856. You are acquainted with this book which has been produced?—I am.

1857. Practically, it is in your charge, I presume?—It is in my charge.

1858. And you make out your pay-sheets according to the time the men sign the book?—According to the time entered in the book by the men themselves.

1859. In doing so you look at it, naturally?—Yes.

1860. Have you noticed that some men have signed for others?—Yes; and I have issued a written order that the men should sign on for themselves.

1861. When did you issue that order?—I do not know the date, but it was before this case occurred.

1862. You found they were signing for each other, and you issued an order that they should not sign for each other?—Yes.

1863. Was it a printed order?—No; I issued a written order, and I posted the order up in the porter's room, and also in the signal box. When I went there I found the signalman had been signing the book irregularly, and I posted up a notice to the effect that the book was to be taken from the foreman porter's room to the porter's room each night, so that the signalman could have access to it, and could sign on and off each day themselves.

1864. Could you say what happened to the book on the 16th of October?—I could not say. I examined it, I think, about two days afterwards. I could not say whether I examined it that day or not, but I found everything as I thought correct; I found the times entered up; I asked Negus why he had signed on for Spink, and he said Spink asked him to do so; I was not aware that Spink was late.

1865. Did you caution him for that?—Yes; I reprimanded him for it, but I was not aware that Spink was late.

1866. And that has not occurred since?—It has not.

1867. Was this before there was any fuss about it?—Yes.

1868. Do you know whether the book was left out on that morning, and whether Spink could have signed it that morning if he had wished to do so?—I do not know; it should have been.

1869. But you could not say of your own knowledge whether it was or not?—I could not say that.

1870. Could you say of your own knowledge whether it is usually so?—It is usually.

Sir *Henry Tyler*—continued.

1871. When was it first brought to your notice that Spink had been late?—I received a "train delay" from the goods superintendent to the effect that a goods train had been delayed at the Tidal Basin Station waiting "clear."

1872. When would that be?—It would be some days afterwards; I went to the box; Spink was on duty; I asked him the reason. I looked at the block book and saw that the train had not been entered in, or rather that the engine which should have preceded it had not been entered in; so I said, "How was it that the light engine was not entered, and that the train was delayed?" he said, "I was late on duty." I said, "Why did not you inform me of the fact?" I then went down and looked at the staff-appearance book and saw that Negus had signed him on; I asked Spink about it, and he said, "I thought nothing would be said about it;" and he added, "I did not know that the goods train was delayed."

1873. What time did you come on duty that morning?—Eight o'clock.

1874. At what time did this delay happen?—It happened between 4 and 5 o'clock.

1875. What steps did you take upon that?—I spoke to him about it, and said, "How is it that you did this?" he said, "I asked Negus to sign on." I said, "Why did you do so?" he said, "I thought there would be no fuss about it; I thought the down train had passed nearly at its right time."

1876. Did you report that at the time?—I reported it at the time, and in giving my explanation of this delay I gave the explanation as it was given to me.

1877. This was some time afterwards?—This was the first time that I had any knowledge that Spink had caused delay when I received this "delay" form.

1878. It was in consequence of the delay, and the consequent inquiry as to who had been on duty that day that you took the matter further?—Yes.

1879. It has been alleged that Spink has rather treated his duty with indifference; is that so?—So far as the signal box work, pulling the levers, and so on, is concerned, that has been done very well; but his answers to me have always been given in an offhand manner; if I have spoken to him about anything, his reply has been the barest civility.

1880. But he has done his work well; there has been no occasion to complain of that?—There has been no occasion to complain of that.

Mr. *Channing.*

1881. Who was the other foreman porter besides foreman porter Negus?—Cann.

1882. What were the hours of the two foremen porters

Mr. *Channing*—continued.

porters at this time; when did they come on and go off?—Negus was on duty from 4.50 a.m. to 2 p.m., and Cann from 2 p.m. to 12.40, or until the last train had arrived.

1883. Then Cann would be on duty at 4.10, when the signalmen had to go to their boxes?—No; on this occasion Negus was on early duty, at 4.50.

1884. The time for the signalman to go on duty is 4.10?—Yes.

1885. This book would be kept in Cann's room; is that another room, or the same room as Negus's?—The same room as Negus's.

1886. Then the book was kept in the same room all the time?—No; it should be taken at night time after the arrival of the down train to the porter's room upon the up side, for the purpose of the signalmen signing on next morning.

1887. Is that porter's room in which the book should have been kept for the signalman who has to go on at 4.10 a.m., a room which is open and accessible?—The room is open all night, with a porter in charge of it.

1888. How long has the rule of the book being kept accessible been in force?—I noticed shortly after I went to the station, on looking into my duties, that the signing on had been very irregularly done; I inquired the reason, and the signalmen stated that they could not get access to the book; I then issued the order that the book was to be taken by the foreman porter from the foreman porter's room to the porters' room on the other side after the arrival of the last train, and kept there until the foreman porter's arrival in the morning.

1889. Of course, if the book could not be got at, and the signalman had gone on duty, it would have been most improper for him to leave his box and go down to sign?—Yes, unless he was relieved for the purpose by the foreman porter.

Mr. *Channing*—continued.

1890. Unless relieved, it would not be his duty to leave his box?—No.

1891. That explains a good many of these cases of apparent irregularity that the book was not accessible?—That is the only explanation I can give for it.

Sir *Henry Tyler.*

1892. Then Cann could not have been on duty at the time?—No; Cann afterwards told me that Spink asked him, on coming into the room, when he should have signed off, at 2.30, when Cann was sitting in a chair; "Cann, sign on for me too." Cann says, "No, I shall not sign on." Spink said, "I was late this morning, they won't know your writing"; on which Cann said, "I shall not have any of that game."

Sir *Joseph Pease.*

1893. You have just said that you put up a written notice in the cabin and in the foreman porter's room that the men were not to sign for one another?—Yes.

1894. You have also stated that you made out the pay-bill from this very book?—Yes.

1895. When you made out the pay-bill did not it strike you that your own order was being disobeyed?—Yes, I cautioned the men on the subject.

1896. Both Spink and Negus?—I called Spink's attention to the order, but I did not give any particular caution; I did it more in a general way.

1897. Do you think you did your duty in not reporting these irregularities when they occurred after your order had been disobeyed to your own knowledge, so reasonable an order as that was?—We have a certain amount of discretion left us. I did not think it necessary to trouble the district superintendent about such a frivolous complaint when I could put it right myself by cautioning the men.

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APPENDIX, No. 1.

PAPER handed in by the *Chairman*, 21 March 1892.

Amalgamated Society of Railway Servants, England, Ireland, Scotland, and Wales.

Head Offices, 55, Colebrooke-row, London, N.,
21 February 1892.

My dear Sir,

I AM in receipt of your favour of yesterday's date, and I think I cannot do better than run down to the House to see you to-morrow (Monday), at a time convenient to yourself, if you will kindly make an appointment.

I may, however, at once say that unless something be done by the Committee for the protection of the members of this society who may give evidence from being victimised, I cannot advise any of them *to volunteer* to give evidence. Not only have we the Cambrian cases (besides Hood), but also Spink, the Great Eastern Railway signalman, discharged. The answer to Question 9620 gives the cue to the reason of his dismissal, and as men whom I put forward, when so treated by the companies, have a claim on the society's funds for 50 *l.* each, it is not my intention to incur any further liability in that respect, and I shall be glad if you will make this known to the Committee.

Yours, &c.
(signed) *Edward Harford*,
General Secretary.

F. A. Channing, Esq., M.P.,
15, Great Queen-street, Westminster, S.W.

APPENDIX, No. 2.

PAPER handed in by Mr. *John Hood*, 10 March 1892.

(John Hood, late Station Master).

10, Gas Street, Newtown, Montgomeryshire North Wales,
2 March 1892.

Sir,

With reference to J. Humphreys' statement on Monday last, I wish to inform you at once that I never told him to tell a lie. I have been a member of the parish church choir over 27 years, and a teetotaler all my life, and I hope this will convince the Committee that I should not tell Humphreys to tell a lie to anyone, and I hope you will give me an opportunity to deny such a serious charge.

I also wish to inform you that the block telegraph book was not always filled up at the time trains were cleared. Very often I was collecting money in the town or doing the goods returns in the goods office (which was some distance from the station), and the only platform porter I had being in the town, the block telegraph was worked by the booking clerk; and it would often have to be attended to when the clerk was booking passengers, and he would have to rush to the block instrument and go through the proper signalling, but would not have time to enter the time in the book, and then attend to booking passengers, then run to the other side of platform to collect tickets; and the book would be forgotten for a time and entered up later. I should not have time to examine it when we were so busy for several days. The block book was often examined by an inspector, but I do not think any complaint was made about it from the head office, as it was understood we could not always keep it correctly.

Yours, &c.
(signed) *John Hood.*

The Right Honourable Sir M. Hicks Beach, M.P.,
Select Committee, Hours of Labour, Railway Servants,
House of Commons.

APPENDIX, No. 3.

PAPER handed in by the *Chairman*, 14 March 1892.

10, Gas-street, Newtown, Montgomeryshire,
13 March 1892.

Sir,

In compliance with your permission I send herewith my reply to the incorrect statements made by Mr. Conacher and Mr. Buckley. I should wish to offer to the Right Honourable and Honourable Members of the Committee, my most sincere and heartfelt thanks for the extreme care with which they have considered my case.

I remain, &c.
(signed) *John Hood.*

To the Right Honourable Sir Michael Hicks Beach.

Ex Station-master *John Hood* replies to the inaccurate statements made by Mr. *Conacher* and Mr. *Buckley*, before the Select Committee.

THE PAY SHEET.

I believed at the time, and still believe, that Humphreys was on duty on the night of 4th November 1887, and that Robinson had also stayed with him for company. I never saw Stokes, and he *admits* that he never saw me, either on arrival or before departure. I never had any knowledge of his having been there until 30th September 1891, at Crewe, years afterwards, when Mr. Conacher brings him forward. I paid the men whom I believed to be on duty, and it now appears the station-master at Oswestry paid another man (Stokes), whom *he* believed to have been on duty, and I fail to see why his payment is to be questioned, whilst the company, apparently for the sole purpose of endeavouring to blacken my character, choose to accept Stokes' word and describe my payment to my *own men* as a falsification. I repeat now to you, in the most solemn words I can find, that when I made out the pay-sheet I had not the slightest idea that Stokes was on duty on the night of 4th November 1887. Robinson was also paid this two shillings in the presence of two witnesses, and he also signed [illegible] one of the witnesses signed that he had the money, therefore there was no motive for me doing such [illegible] if it been found out would have ended in instant dismissal and disgrace. The pay-sheets were carefully examined by Mr. Conacher's chief clerk, and often written about, *especially overtime*. This is a cruel and unjust charge, and I can only say that never in all my life have I made out a false pay-sheet.

HOOD'S DISMISSAL.

EXPLANATION of the grave charge, that he tried to evade payment of a hamper sent from Ellesmere to Stirchley for his son.

12 January 1889.

On 12th January 1889 I sent a hamper for my son from Ellesmere to Stirchley by the 8.58 a.m. train. This train was very punctual, and the hamper was not brought from my house till the train was in the station, and there was not time to make out an invoice of charges: it was, however, weighed, and a way-bill was hurriedly made out, "particulars to follow." I attach the exact tissue copy of it, and as this way-bill *went with the hamper* it alone will prove that there was no intention to evade payment, as on receipt of this way-bill at Stirchley it should have been entered in the particulars to follow book, and charges written for to Ellesmere. I also enclose the very tissue copy by which charges were entered up, on the *very same day* the *hamper was sent*. I think this will convince you that there could not possibly be any desire on my part to evade payment. I can prove that this way-bill was duly received at Stirchley, and the Clearing House in London *compelled both the companies to adopt it*. About ten days after the hamper was sent a printed note, or letter *or two*, was received from Stirchley, stating a hamper had been received by them *unentered*, and asking for way-bill of charges. These letters were received with many others, as there were hundreds of parcels forwarded and received at Ellesmere every month, and after searching our books and making inquiries we could not trace that any hamper had gone from Ellesmere *unentered*, and I believe a reply was sent "no trace," or "try Ellesmere Port." It was a very usual thing to say "try Ellesmere Port." as many stations received parcels from Ellesmere Port, and wrote to us for charges, the names were so much alike. I found out afterwards from my son that on the arrival of the hamper at Stirchley the station-master refused to accept payment of the 1*s*. 7*d*. charges from my son, who tendered him a two-shilling piece. He said he would compel me to send a paid entry. His reasons are explained by the fact that he and my son were on very bad terms. He was compelling my son (a youth of 16) to work 18, 19, and even 20, hours a-day, and he was so worn-out with work that he was obliged to resign. Mr. Entwistle was appealed to, and he took the station-master's part. The station-master was thus very angry with my son, and caused application to be made to Mr. Conacher for a paid way-bill for this hamper, and Mr. Conacher *compelled me afterwards* to send a *paid entry*. It is said by Mr. Buckley that the matter ended by me paying the carriage, and apologising for it. This is incorrect, as I was *unjustly compelled* to pay carriage, and was too indignant (at such unjust treatment) to apologise. It is unreasonable to suppose that I tried to evade payment, as there was no motive, it being a fact *that all station-masters* send and receive parcels free. They are first charged, and then a voucher is sent to clear the entry: so there is *nothing* to pay. I believe this was about the only parcel I paid for during 20 years, although I had many parcels from Leeds and Manchester. If the Committee are not satisfied after this explanation, I do hope I shall be allowed to appear before them and fully explain the matter.

P.S.—I find that I omitted the important fact that the station-master at Stirchley *purposely reported* the hamper unentered, although at the very time having in his possession the way-bill. In my opinion Mr. Conacher only mentioned this grave charge, thinking I should have no opportunity of meeting it; and I most respectfully claim to bring to the notice of the Committee the very important fact elicited by Mr. Somervell that Mr. Conacher wrote to the London and North Western Railway Company about this trifling and almost forgotten hamper on *the very day he knew* I was summoned to appear before the Committee, and, in my opinion, for the sole purpose of enabling him to concoct some charge against me.

Previous Record now described by Mr. Buckley as bad.

I respectfully desire to be permitted to remind the Honourable members of the Select Committee that I not only received excellent testimonials from successive managers, commencing with those from Mr. Cattle in 1872, which are given in Answer No 62, and also from Mr. Conacher himself in 1885 and 1889; and besides prizes for best kept station *every year since the prizes were given*, eight or nine years ago, *although* only a few prizes are given amongst about a hundred station-masters; and I entirely deny that my station was ever in what Mr. Buckley chooses to term "a disgraceful condition," and defy the company to produce a shadow of proof that it ever was, or why should they have given me a prize every year?

* * * * * * * * * *

I am, &c.
(signed) *John Hood.*

Copy of Way Bills referred to in Letter.

This Way Bill must not be used for Fish, Game, Dead Rabbits, Poultry (Live or Dead) including Pigeons, Meat, Tripe, Butter, Cheese, Vegetables, including Watercresses, Eggs, Fruit, or Parcels of 2 cwt. and upwards, nor for Milk.

(15A.)

CAMBRIAN RAILWAYS.

Parcels Way Bill.

From Ellesmere to Shrewsbury. L. & N. W.

Entries of "Parcels" and of "Miscellaneous" Traffic are not to be made on one Way Bill.

Via

Departure 8.32 o'clock Train, 12 day of Jan. 1882.

No.	Description.	Name.	Destination.	Weight.	Prepaid.	To Pay.	Paid.	Excess Luggage.	Sender.
				Lbs.	s. d.	£. s. d.	£. s. d.	s. d.	
1	Gpr.	Hood	The Station.						
2			Particulars to follow.						
3									
4									

N.B.—The Guard of the Train must see that the Entries on this Bill correspond with the Parcels delivered to and given up by him.

This Way Bill must not be used for Fish, Game, Dead Rabbits, Poultry (Live or Dead), including Pigeons, Meat, Tripe, Butter, Cheese, Vegetables, including Watercresses, Eggs, Fruit, or Parcels of 2 cwt. and upwards, nor for Milk.

(15A.)

CAMBRIAN RAILWAYS.

Parcels Way Bill.

From Ellesmere to Shrewsbury. L. & N. W.

Entries of "Parcels" and of "Miscellaneous" Traffic are not to be made on one Way Bill.

Via Wh.

Departure 8.32 o'clock Train 12 day of Jan. 1882.

No.	Description.	Name.	Destination.	Weight.	Prepaid.	To Pay.	Paid.	Excess Luggage.	Sender.
				Lbs.	s. d.	£. s. d.	£. s. d.	s. d.	
1	Gpr.	Hood		38		1 7			
2			Station						
3									
4	Send you particulars to follow this day.								
5									

N.B.—The Guard of the Train must see that the Entries on this Bill correspond with the Parcels delivered to and given up by him.

PAPER handed in by the ... March 1892.

... Cambrian Railways Company,
... Secretary and General Manager's Office,
Oswestry, 12 March 1892.

Dear Sir,

I now beg to hand you the following documents which Mr. Conacher promised Mr. Somervell should be sent to the Committee in relation to Mr. Hood, viz. :—

Copy of letter from Mr. Conacher to Mr. Hood, dated 2nd June 1891.
Statement showing the replies sent to Mr. Conacher by Mr. Hood in relation to Porter Humphreys' case.

You will observe that with the papers is also Mr. Hood's letter of 3rd June 1891 to Mr. Conacher, which has already been put in.

I shall be obliged if you will kindly return them to me when done with.

Yours, &c.
(signed) *Alfred Aslett.*

Sir Everard H. Doyle, Bart,
Select Committee Railway Servants (Hours of Labour),
House of Commons.

CAMBRIAN RAILWAYS.

Memorandum from the Department, Montgomery Station, to *J. Conacher*, Esq., Euston Hotel, London.

James Humphreys, late Porter, Ellesmere.

Hood.—Montgomery, 3 June 1891.

I enclose memorandum containing copy of certain statements made by James Humphreys, who was formerly porter at Ellesmere, and request you to return it to me with your remarks inserted in full against each of the statements.

I understand that Mr. Bather has recently written to you on this or some kindred subject. Please let me know. The matter is very urgent and the memorandum and your reply must be sent to me by mail to-night in enclosed envelope.

(signed) *J. Conacher.*

James Humphreys, late Porter, Ellesmere.

3 June 1891.

I RETURN the statement to you with my remarks.

... the case ... to me a note asking me to give him information about the accident, but I did not reply to it, neither have I spoken to him about it. I threw the note away, as I did not want to have anything to do with the matter. I have thought the matter very carefully over, and tried my best to remember in order to give as correct information as I could to enable you to meet the case.

(signed) *J. Hood.*

	Mr. *Hood's* Remarks.
... that you ... Hall at Oswestry at 5.50 a.m. till he got Jones.	This statement, to the best of my recollection, is correct, as it was the custom of day man to meet 5.50 a.m. at Oswestry, and remain till late at night.
... for ... he had to book the passengers.	I believe he had to book the passengers and milk by 5.50 a.m. before a night man was appointed. The porter also used to book last train to Oswestry after B. clerk left.
... duty every ...	I believe he was frequently on night duty after being on duty all day, owing to night man Roberts being at Oswestry, and he may have been on several nights together. I had to go on duty all night myself, several times at nights, as no one could be sent.
... applied to ... station master to apply for ...	He may have done this, but I cannot remember. It was my custom to wire you, to the best of my recollection, as to who was to relieve night man Roberts when assisting at Telegraph Office, Oswestry.
... ordered by you to stop on all the Sundays ... after the accident to the mail on 6th November ...	This is, I believe, quite correct. I named the matter to you as you were leaving Ellesmere on Sunday night as I had no one else to go on duty but him, and you said he must go on.
... he has been on these 36 and 40 hours after ... frequently entered ... for the whole week, and I have ... again ... struck out altogether. Mr. Hood knows this.	Overtime was certainly allowed sometimes, but I believe it was frequently struck out. The only case I remember was, when the accident took place, I entered overtime for myself and all my men, and wrote about it, but it was not allowed.
Montgomery, ... 1891.	(signed) *J. Hood.*

No. 5.

handed in by Mr. *Channing*.

On the 7th instant Mr. Buckley informed the Committee, in reply to Mr. Channing, M.P., that in 1884 he inspected my station, and it was negligently kept, and that *instead of receiving a prize, I received a condemnation.*

The enclosed document shows that I received the second prize (out of about 80 stations) on account of the best kept station *from June* 1884 *to June* 1885.

This document shows the date the prize was paid, but it was decided that I should have it some time before.

Prizes were only given once a year on account of the creditable manner the station had been kept *during the previous* 12 *months.*

This was the very best prize I ever received, but I have received a prize every year since. I made great improvements in the station in 1884 by every means in my power, and this prize was given in June 1885 on this account.

No other station-master on the whole line has received more prizes for best kept station than myself, and I can prove this by documentary evidence.

(signed) *J. Hood*,
10, Gas-street, Newtown.

P.S.—Mr. Buckley stated I only received prizes at Montgomery, but I received prizes also at Ellesmere 1884 to 1885, 1886, 1887, and 1888.

(No. 6508.)

Cambrian Railways Company, Secretary's Office,
Oswestry, 27 June 1885.

I BEG to forward you the annexed order on the National Provincial Bank of England, Limited, Whitchurch (Salop), which will be paid on presentation through a banker, provided the form of receipt attached thereto be duly signed and dated.

The following are particulars of the account discharged by the order, viz. :—

	£.	s.	d.
Second prize for best kept station, 1885 - - - - - - -	2	10	–

(signed) *J. Conacher*,
Secretary.

To Mr. J. Hood, Station-master, Ellesmere.

APPENDIX, No. 6.

PAPER handed in by the *Chairman*.

Select Committee, Railway Servants (Hours of Labour).

Sir, Hotel Metropole, Brighton, 18 March 1892.

As I observe that further statements, dated 13th March 1892, have been put in by Mr. John Hood and printed with the Proceedings of your Committee, I should be glad to be allowed to state with regard to the falsified pay sheet, in reference both to the statement thereon and to the Questions to me (No 1472, and following ones), that Mr. Hood himself, at the Crewe meeting offered (page 37 of this year's Proceedings, 1st column), at the outset, an explanation of the deliberate falsification of the pay-sheet, which explanation the directors knew at the time was untrue, and the voluntary offer of which showed how grave was the charge that falsification involved even in his own opinion.

It is obvious what was the reason which rendered it unnecessary to pursue that point further, and Mr. Hood had no denial to make when Stokes was subsequently produced.

Perhaps I might be allowed to take this opportunity of correcting an erroneous impression which I had when answering Questions 1280 and 1281, when I seemed to have confused the facts and failed to remember that only Hood's case was dealt with on 6th August, and that the cases of Kingstone and Thomas were, as I since find, disposed of on 9th July. There never was at any stage any inquiry such as was suggested in Question 1281. In Mr. Hood's letter to you of 2nd March, printed 10th March 1892, he excuses himself for alleged laxity in entering up the Block Telegraph Book by pressure of duties in collecting tickets, &c., on the other platform: [illegible]arely I may point out that there were only four passenger trains on that side during the whole period of day duty.

With reference to Mr. Hood's statement on the top of Paper, page 2, put in on 16th March, where he alludes to the fact that Mr. Conacher wrote to the London and North Western Railway on the day that Mr. Hood was summoned to appear before the Committee, I am authorised by Mr. Conacher to state that he had then for some time been aware, from common report amongst the staff, that Mr. Hood had been in communication with Mr. Bather about the Ellesmere accident, and that on receipt from you of Humphrey's affidavit on 3rd June he believed Mr. Hood was privy or party to its preparation; hence naturally his question and subsequent inquiries on that and other matters as affecting Mr. Hood's fidelity as a trusted agent of the company.

I have, &c.

To the Right Hon. Sir M. Hicks Beach, Bart., M.P., Board of Trade, London. (signed) *J. F. Buckley.*

APPENDIX, No. 7.

PAPER handed in by the *Chairman*.

CAMBRIAN RAILWAYS COMPANY.

Mr. Hood's Dismissal.

Secretary and General Manager's Office, Oswestry, 19 March 1892.

Sir,

In view of the further statements made to the Select Committee by Mr. Hood in his Paper dated 13th March 1892, printed as an Appendix to the Minutes of Evidence of Monday, 13th instant, I have to ask you to be good enough to place before the Right Honourable Chairman of the Select Committee the following facts as supplied to me by the London and North Western Railway Company in regard to the hamper sent by Mr. Hood from Ellesmere to Stirchley on the 12th January 1889 for his son.

The documents from which these statements are made are in the hands of Mr. George Findlay, the General Manager of the London and North Western Company, who is in a position to produce them if the Committee think necessary.

1. Mr. Hood states: "I can prove that this waybill (12th January, 1 *s.* 7 *d.* to pay) was *duly* received at Stirchley, and the Clearing House in London compelled both the companies to accept it."

The receipt of this waybill by Stirchley in *due course* is absolutely denied by the London and North Western Company. The London and North Western Company state a copy of it was only received by Stirchley from the Railway Clearing House through the audit office in the following *March* on application by Stirchley on receipt of Railway Clearing House inaccuracy sheet.

2. Mr. Hood states: "On the arrival of the hamper at Stirchley, the station-master refused to accept paym[illegible] of the 1 *s.* 7 *d.* charges from my son, who tendered him a two-shilling piece."

The truth of this statement is denied by the London and North Western Company. Mr. J. C. Lewis, t[illegible] then London and North Western agent at Stirchley, says: "I was agent at Stirchley in January 1889, [illegible] remember a hamper being received there by passenger train for Hood, who was at that time a clerk wi[illegible] He did not at any time offer me 2 *s.* or any other coin or sum to pay the carriage of the hamper." The[illegible] and North Western Company further state the 1 *s.* 7 *d.* charges were never collected from the consignee.

3. The serious allegation made by Mr. Hood in his postscript, involving the integrity of the London and [illegible] Western agent, viz.: "The station-master at Stirchley *purposely reported* the hamper unentered (F[illegible] although at the very time having in his possession the (to pay) waybill," is also stated by the London and N[illegible] Western Company to be devoid of the slightest foundation.

4. In confirmation of the London and North Western denial, Clause 1, I beg to annex, for the informat[illegible] of the Select Committee, the original Parcels Return of Light Traffic for January 1889, which was sent in [illegible]smere to the Railway Clearing House for comparison with a similar return rendered by Stirchley. The red-[illegible] which were made on this return by the Railway Clearing House denote that both stations agree. T[illegible] against the entry of 1 *s.* 7 *d.* to pay, also made by the Railway Clearing House, denotes a discrepar[illegible] tive stations' returns, *i.e.*, the Way Bill was accounted for by Ellesmere, *but not by Stirch*[illegible] is very strong evidence that the original To Pay Bill was never received at the la[illegible]

[illegible]kes: "I en[illegible] *very tissue* copy by which charges were entered up."

[illegible]nk[illegible] right to po[illegible] Committee that such an admission proves Mr. Hood committ[illegible] the l[illegible] serious irregu[illegible] possession of an *original document*, the original carbonic duplic[illegible] which[illegible] dy stated, is de[illegible]ley as having been received, which should have been filed with [illegible]mpa[illegible]'s Ellesmere account[illegible]

I am, &c.

To Sir E[illegible]oyle, Bart., Committe[illegible]way Servants (Hours of Labour), [illegible]e of Commons. (signed) *Alfred Aslett*, Secretary and General M[illegible]

CAMBRIAN RAILW

Summary of Light Parcels and Miscellaneous Traffic forwarded from Ellesmere Station to L. & N. W. Company
Month ending January 18[illegible]

This Summary is to contain traffic settled through Clearing House of the value of 5 s. or under to any station of the above mentioned Company.

N.B.—A separate Summary must be used for the traffic with each line.

STATIONS. (In alphabetical order.)	Route	Parcels including Newspapers.					Miscellaneous.				
		Parcels.	Paid on.	To Pay.	Paid.	Excess.	Dogs.	Sundries	Paid on	To Pay.	Paid.
			s. d.	s. d.	s. d.	s. d.			s. d.	s. d.	s. d.
Aberystwith	Butt.	–	–	–	–	–	1	–	–	1 6	–
Alcester	Wrex.	1	–	–	– 9	–	–	–	–	–	–
Birkenhead	,,	1	–	–	1 4	–	–	–	–	–	–
Birmingham	,,	6	1 11	1 2	4 –	–	–	–	–	–	–
Broxton	,,	2	–	– 6	– 8	–	–	–	–	–	–
Chester	,,	4	–	1 6	– 4	–	–	–	–	–	–
Coventry	,,	1	–	– 8	– 6	–	–	–	–	–	–
Crewe	,,	6	2 6	–	6 6	–	–	–	–	–	–
Dudley	,,	1	–	– 6	–	–	–	–	–	–	–
Ellesmere Port	,,	1	–	–	– 6	–	–	–	–	–	–
Kirkby Lonsdale	,,	1	–	–	1 2	–	–	–	–	–	–
Lleng	,,	1	–	–	1 –	–	–	–	–	–	–
Nantwich	,,	3	–	– 6	1 4	–	–	–	–	–	–
Pontesbury	,,	1	–	–	– 7	–	–	–	–	–	–
Rock Ferry	,,	1	–	–	1 –	–	–	–	–	–	–
Smethwick	,,	3	–	3 –	–	–	–	–	–	–	–
Stafford	,,	–	1 5	–	–	–	–	–	–	–	–
Stirchley	,,	1	–	1 7	–	–	–	–	–	–	–
Stockport	,,	3	–	–	2 6	–	–	–	–	–	–
Tamworth	,,	1	–	–	1 4	–	–	–	–	–	–
Wenlock	,,	1	–	– 10	–	–	–	–	–	–	–
Wem	,,	1	–	1 3	–	–	1	–	–	–	–
Wrexham	,,	1	–	–	1 –	–	–	–	–	–	–
Wolverhampton	,,	1	–	–	– 8	1 2	–	–	–	–	–
TOTAL		42	5 10	11 6	25 4	1 2	2	–	–	1 6	–

This Way Bill must not be used for Fish, Game, Dead Rabbits, Poultry (Live or Dead), outside Parcels, Butter, Cheese, Vegetables, including Watercresses, Eggs, Fruit, or Ice, in quantities of 2 cwt. and upwards, [illegible]

(16A.)

CAMBRIAN RAILWAYS.

Parcels Way Bill.

From Ellesmere to Stirchley. L. & N. W.

Entries of "Parcels" and of "Miscellaneous" Traffic are not to be made on one Way Bill.

Viâ Wrexham

Departure [illegible] o'clock Train, 15 day of Jan. 18[illegible]

Description.	Name	Destination.	Weight.	Paid on.	To Pay.	Paid.	Excess Luggage.	s. d.
			Lbs.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	
Bpr.	Hood		68			1 7		
		Station						

[illegible] you £ [illegible] this day.

N.B.—The Guard of the Train must see that [illegible] with the [illegible] given up by him.

A copy of the original Way Bill [illegible] with the Ellesmere account [illegible] of the original.

UNIVERSITY OF ILLINOIS-URBANA
3 0112 046437205